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ABSTRACT

The California State Board of Education is responsible for adopting textbooks and instructional materials for use in kindergarten through grade eight. The purposes of the instructional materials program are to: (1) establish clear standards for the educational and social content of textbooks and instructional materials; (2) evaluate instructional materials for adoption using established standards; (3) provide for the centralized administration of the adoption process; (4) allow for flexibility in the selection of textbooks and instructional materials at the local level; (5) provide objective information that school districts can use in making their selections of instructional materials; and (6) ensure that adequate funds for purchasing instructional materials are available. This report is organized into five parts: (1) a description of the adoption program; (2) a history of the program and previous legislative action; (3) relevant statistical data, including enrollment and fiscal data; (4) identification of unmet needs and estimated cost of meeting those needs; and (5) recommendations of ways to improve the program. (JD)

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Instructional Materials Sunset Review Report

A Report to the California Legislature, as Required
by Senate Bill 1155, Chapter 1270,
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CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Hanig—Superintendent of Public Instruction • Sacramento 1984

SP 026069

Instructional Materials Sunset Review Report

**A Report to the California Legislature, as Required
by Senate Bill 1155, Chapter 1270,
Statutes of 1983**

Prepared by the
**Office of Curriculum Framework and
Textbook Development**

This legislative report, which was prepared by the Office of Curriculum Framework and Textbook Development, California State Department of Education, was published by the Department, 721 Capitol Mall, Sacramento, CA 95814-4785. Any questions regarding the report should be addressed to the Office of Curriculum Framework and Textbook Development (phone: 916-445-2731).

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1984

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Introduction

The State Board of Education is charged under the State Constitution with the responsibility for adopting textbooks and instructional materials for use in California schools, kindergarten through grade eight. The Department of Education has assisted the State Board with its constitutional mandate by implementing a thorough evaluation process with one major goal in mind--to provide the best instructional materials available at the time to California students.

In 1983 the Legislature passed Senate Bill 1155 (Chapter 1270/1983), which set a sunset date of June 30, 1985, for the instructional materials program and required that a report on the program be submitted to the Legislature. The purpose of this report is to provide information on the instructional materials program, as required by SB 1155, and to make recommendations for improving the program while maintaining its basic purposes, which are to:

- o Establish clear standards for the educational and social content of textbooks and instructional materials.
- o Evaluate textbooks and instructional materials for adoption by using the standards established in a manner that is fair and thorough.
- o Provide for the centralized administration of the adoption process to ensure that textbook standards are carefully developed and consistently applied.

- o Allow for flexibility in the selection of textbooks and instructional materials at the local level by adopting high quality materials which meet the educational needs of the students in the State.
- o Provide objective information that the school districts can use in making their selections of instructional materials.
- o Ensure that adequate funds for the purchase of textbooks and instructional materials are available.

This report on the instructional materials program is organized into five parts: (1) a description of the adoption program; (2) a history of the program and previous legislative action; (3) relevant statistical data, including enrollment and fiscal data; (4) identification of unmet needs and estimated cost of meeting those needs; and (5) recommendations of ways to improve the program.

Textbooks and instructional materials are major determinants of what is taught in the schools, and they must play an important role in helping to raise classroom standards. As California accounts for approximately 10 percent of the national market for textbooks and instructional materials and has a statewide adoption program, the State is in a unique position to have a positive influence on the content of the textbooks and instructional materials, which are important ingredients in the educational reform effort. The instructional materials program has proved to be an efficient and effective means of making a positive impact on instructional materials and for improving the quality of education in California. Therefore, the Department of Education recommends that the instructional materials program be continued.

Description of Program

Under current law, textbooks and certain instructional materials for the elementary schools must be adopted by the State Board of Education before being selected and purchased by school districts in California. Descriptions of the major features of the program follow.

Framework Development and Implementation

A six-year cycle has been established for the development of frameworks and the adoption of textbooks and other instructional materials. (See Attachment 1.) At the beginning of the cycle for the development of a subject matter framework, the Curriculum Development and Supplemental Materials Commission, which advises the State Board of Education on framework and adoption matters, selects a Curriculum Framework/Criteria Committee (CFCC). The CFCC works to develop a curriculum framework document that is designed to (1) furnish guidance to individuals who are responsible for developing curriculum for the public schools; (2) serve as a resource for district personnel responsible for the in-service education of teachers; (3) establish guidelines to aid districts in evaluating their programs; and (4) provide the basis for the development of criteria for the selection of instructional materials to be used in the public schools of California.

The Curriculum Commission recommends curriculum frameworks to the State Board of Education for approval. When the State Board has approved a framework and the criteria, these documents become the basis for the educational requirements in the "Invitation to Submit Materials" to be used for the next adoption of basic instructional materials program in that subject area.

Invitation to Submit Materials

The "Invitation to Submit Materials" provides publishers and producers of instructional materials detailed information about the timeline for adoption activities, legal requirements for participating in an adoption, the guidelines for social content, and the criteria that will be used in selecting instructional materials. The "Invitation to Submit Materials" also outlines the requirements for the display of instructional materials under consideration for adoption, including the number of sample copies that must be supplied. This is of critical importance to the public because the sample copies are displayed at the 29 Instructional Materials Display Centers (IMDCs) located throughout the State so that the public can review the textbooks and instructional materials being considered for adoption. A complete listing of the State's IMDCs is attached. (See Attachment 2.)

Review of Instructional Materials for Legal Compliance

The purpose of the legal compliance review is to ensure that the social content of textbooks and instructional materials meets the requirements of the Education Code (Sections 60040--60042 and 60044). This includes a fair and unbiased depiction of males and females, ethnic groups, and entrepreneurs and laborers and support for the policies of the State Board with regard to the representation of the aged, the disabled, various types of food, and brand names and corporate logos. The legal compliance review is completed by a Legal Compliance Committee (LCC) made up of adult citizens of California.

The committee may include senior citizens, students and parents of students in our schools who are interested in, and sensitive to, the social and legal issues identified in the Education Code and State Board of Education policies and who do not have any conflict of interest. A statement of incompatible activities is attached. (See Attachment 3.)

Members of the LCC serve on a volunteer basis without pay; however, some travel and related expenses are reimbursed in accordance with the rules of the State Board of Control. Using the Standards for Evaluation of Instructional Materials with Respect to Social Content, adopted by the State Board of Education (See Attachment 4), the committee reviews the materials to determine whether or not they are in compliance with the social requirements of the law and State Board policies.

In the event that an instructional material is found to be noncompliant, the publisher of the material may take one of two actions. The material may be revised in accordance with legal mandates and State Board policy, or the finding of noncompliance can be appealed. The appeal can be made at two levels. First, the publisher can make an appeal before a panel composed of adult citizens; and second, the publisher can appeal to a panel made up of members of the State Board of Education. No textbook or instructional material that has been cited for noncompliance can be adopted unless the citation is successfully appealed or the material is revised.

Review of Instructional Materials for Educational Content

The evaluation of textbooks and instructional materials for facts, educational value, and quality is accomplished in accordance with the curriculum framework and criteria approved by the State Board of Education. The review of educational content is carried out by Instructional Materials Evaluation Panels (IMEPs) made up of professional educators, including teachers, administrators, curriculum specialists, and college personnel who have no conflict of interest. The review is conducted under the direction of the Curriculum Commission.

In preparing a recommended list of basic instructional materials for adoption by the State Board, the Curriculum Commission reviews the work of the IMEPs, conducts its own evaluation of the materials, and holds a public hearing. Basic materials are those designated to be the course of study for a specific grade level. The list is composed of 5--15 programs for each grade level, as required by law.

Public Input to the Review Process

Any member of the general public has the opportunity to review the social content and educational content of textbooks and instructional materials being considered for adoption as soon as the materials are placed in the IMDCs. One of the main functions of the IMDCs is to provide access to the adoption process to the citizens of this state. All public input is written on "public comment" forms provided at the IMDCs, and the input is considered by the appropriate committee or panel.

A final opportunity for public input is provided for in a 30-day period immediately preceding the State Board's adoption. The public display is held in accordance with statutory requirements.

Adoption by the State Board of Education

The Curriculum Commission presents its recommendations concerning the textbooks and instructional materials to be adopted by the State Board of Education. Before making its adoption, the State Board may request any records, letters, and evaluation sheets used in the review process and will hear testimony or recommendations from any interested party. The State Board then adopts a list of 5--15 basic instructional materials programs for each grade level, kindergarten through grade eight.

Price List and Order Form and Program Descriptions

As a means of assisting districts to make their choices from the list adopted by the Board, the Department publishes annually a "Price List and Order Form" and "Program Descriptions" of instructional materials and distributes these documents to each county, district, and school office in the State. These guides are prepared with the cooperation of the Curriculum Commission and educational personnel experienced in the analysis of instructional materials.

Ordering of Adopted Materials by School Districts

School districts can order adopted instructional materials in one of two ways. One is to use a credit system, which is managed by the Department of Education. The other is to purchase materials directly from the publisher. (In fiscal year 1983-84, districts could, for the first time, order directly from the publishers.)

In either case, school districts must make their purchases in accordance with the State Board's policies. Currently, school districts must use their allocations, which are based on a.d.a. (average daily attendance), according to the following percentages:

- o 80 percent of the funds for adopted basic textbooks and instructional materials
- o 15 percent for nonadopted materials that have passed State-level legal compliance
- o 5 percent for other instructional materials, testing, and in-service training

Under the State credit system, the Department handles all paperwork related to the ordering of materials and the payment to publishers.

School districts that order directly assume all ordering and invoicing responsibilities, and they must ensure that the State Board's policies are followed. They must retain invoices for possible review.

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If the quantity of textbooks ordered warrants State printing because of substantial savings to the Instructional Materials Fund (IMF), the Department and the Office of State Printing enter into an agreement. State-printed materials are warehoused and distributed by the State. The Instructional Materials Fund (IMF) is a "restricted and designated" fund to be used only for the purchase of instructional materials in accordance with State Board policies.

Two important aspects of the ordering process are contract monitoring and the Recovery Project. Under contract monitoring, the State Board of Education and publishers of adopted materials enter into contracts that ensure a two-year price guarantee and that ensure that California will not be charged a higher price for materials than is charged to other states. Prices and contract items are monitored through a review of invoices and contact with other adoption states. The function of the Recovery Project is to identify possible infractions of contracts and to recover funds from publishers if contract terms, such as a requirement to provide free teachers' editions, have not been met.

School District Petitions for Nonadopted Materials

In order to provide for flexibility at the local level, the Education Code allows school districts the opportunity to obtain waivers to use nonadopted materials. The State Board of Education has established a petition process to be used by districts to request up to 100 percent of their entitlements to purchase nonadopted basic textbooks and instructional materials. The "Standards and Procedures Under Education Code Section 60200(c) Petition Process" is attached. (See Attachment 5.)

Out-of-Cycle Review of Instructional Materials for Legal Compliance

Instructional materials may be reviewed for legal compliance outside the framework/adoption schedule; hence, the process is identified as the "out-of-cycle" review process. For a fee, publishers may have any instructional material evaluated for compliance with social content criteria. Materials that are reviewed in this process are generally meant to be supplementary to the adopted basic programs. A list of approved materials is published annually.

Large Print and Braille

A portion of the IMF is allocated to provide textbooks and instructional materials to visually handicapped students. Large print and Braille formats of adopted materials are obtained and warehoused by the State. These materials are supplied to school districts and offices of county superintendents of schools on a loan basis.

Conclusion

The instructional materials program is designed to provide a list of State-adopted textbooks and instructional materials that meet the needs of the students of this State. The program also provides resources to be used by school districts in the local selection process and assistance to school districts with the procurement of instructional materials. All aspects of the framework/adoption program are administered at the State level by the State

Department of Education in cooperation and coordination with the State Board of Education. An outline of the critical activities in the adoption program is presented in Figure 1.

TEXTBOOK AND INSTRUCTIONAL MATERIAL ADOPTION PROCESS for CALIFORNIA SCHOOLS

CURRICULUM
FRAMEWORK AND
TEXTBOOK AND
INSTRUCTIONAL
MATERIAL
CRITERIA



STATE BOARD
ADOPTS
FRAMEWORK
AND CRITERIA

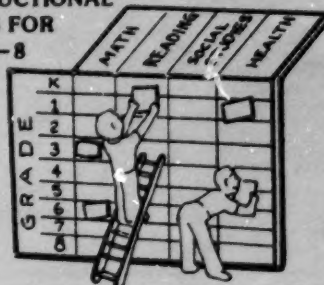


INVITATION
TO SUBMIT
IS GIVEN TO
PUBLISHERS



LEGAL COMPLIANCE
REVIEW

CURRICULUM COMMISSION
RECOMMENDS LIST OF TEXTBOOK
AND INSTRUCTIONAL
MATERIALS FOR
GRADES K-8



PUBLIC
REVIEW

REVIEW FOR
EDUCATIONAL
CONTENT



FIRST LEVEL
APPEAL PROCESS

2nd LEVEL
APPEAL PROCESS

PUBLIC
HEARING



STATE BOARD ADOPTS
INSTRUCTIONAL MATERIAL

LOCAL
SCHOOL DISTRICTS
SELECTION

IMF DESIGNATED
AND
RESTRICTED FUND
ALLOCATED
PER ADA

K-8 STUDENTS USE
ADOPTED TEXTBOOKS
AND INSTRUCTIONAL
MATERIALS

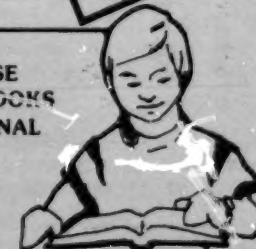


Figure 1

History of the Program and Legislation

Historically, the adoption of textbooks and instructional materials has generated a significant amount of attention from school officials, the Legislature, and the public. As textbooks and instructional materials are considered to be the "de facto" national curriculum, it is appropriate that these materials have been the focal point of discussion and legislation at the State level.

A chronological review of legislation and significant events in the history of the adoption of textbooks and instructional materials is being presented with an analysis of those laws and events that have had an effect on the development of the present program. The first period examined is that of the 1850's until the turn of the century. Legislative discussion focused on issues related to who would have the authority to adopt textbooks.

1851 - School law mandated that the State Superintendent examine and recommend a uniform series of books.

1860 - School law empowered the State Board of Education to prescribe a series of school textbooks for the graded schools.

1861 - A series of textbooks was recommended by the State Board for the first time.

1863 - A series of textbooks for the subjects of arithmetic, geography, grammar, and reading was recommended. School districts which did not use the recommended texts could be denied their share of State public school funds.

1875 - A challenge to the policy of having the State Board of Education recommend textbooks was carried to the State Supreme Court. Several bills were introduced to remove adoption responsibility from the State Board and replace it with local boards. Some of the proposed legislation would have required uniformity of textbooks at the county level only. Though none of the bills became law, certain other legislative actions left the State Board with less authority in adoption matters and more power with the Legislature.

1879 - The Second California Constitution provided that adoption authority be given to local boards and county superintendents, which was in direct conflict with the 1860 law. The State Supreme Court ruled that the new law concerning textbook adoption repealed the old one.

1884 - The people of California approved a constitutional amendment to allow state printing and distribution of textbooks. This section of the State Constitution has given the State Board of Education adoption authority for a century.

1885 - State law was enacted to implement the amendment to have the State Board adopt and the State Superintendent supervise the State printing of adopted textbooks. This law also provided school districts with the opportunity to use books other than State texts. This policy is still in effect.

1887 - The Attorney General ruled that the State School Fund could not be used for support of instructional materials at the high school level.

1893 - High schools are exempted from the requirement of using State-adopted and supplied textbooks.

1921 - The State Department of Education was established.

The period from the mid-1920's to the mid-1960's was marked by the establishment of a State Curriculum Commission to advise the State Board on the adoption of textbooks and instructional materials. During this time a single text for each subject area was adopted by the State Board, was printed by the State Printer, and was distributed by the State Superintendent.

1927 - State Curriculum Commission was given the responsibility by the Legislature to propose textbook specifications that would match the minimum standards for courses of study and to study materials submitted for adoption.

1950-68 - The State Curriculum Commission's role was expanded in textbook adoption matters to include the responsibility to recommend curriculum frameworks to the State Board for approval.

The period of time from 1970 until the present has provided local school districts with more authority in matters related to textbook and instructional materials adoption. School districts could obtain publisher-produced as well as State-printed textbooks.

1970 - A new section to Article IX of the Constitution was adopted and states the following:

Textbooks

Section 7.5. The State Board of Education should adopt textbooks for use in grades one through eight throughout the State, to be furnished without cost as provided by statute.

1972 - The State changed to a multiple adoption of textbooks and instructional materials for pupils in K-8, per the provisions of AB 531 (Chapter 929/Statutes of 1972). AB 531 can be considered the foundation of the "modern" textbook and instructional materials adoption program. In addition to making a major shift from a single or limited textbook adoption to a multi-textbook (5--15 basic and supplementary materials per grade level) adoption, the adoption program now considers items other than textbooks; hence, the term instructional materials is frequently used. Instructional materials were to be adopted biennially for each of the designated subject areas and to be used by school districts for not less than two years and not more than eight years.

The Legislature, through provisions of AB 531, gave recognition to curriculum frameworks as important educational tools. It also emphasized the need for developing criteria for evaluating instructional materials. The development of criteria was to be one of the major duties of the Curriculum Development and Supplemental Materials Commission (formerly the State Curriculum Commission).

AB 531 provided \$7.00 per unit of a.d.a. and established the "designated and restricted" Instructional Materials Fund (IMF) for textbooks and instructional materials. Materials that were not State-printed could now be purchased by school districts. All purchases were to be made through the State ordering system.

1975 - Legal compliance reviews by adult citizens were required for all materials submitted in the adoption process. Prior to this time the Curriculum Commission evaluated the social content and educational content of materials. The six-year framework adoption cycle is implemented in order to schedule subject area adoption in an organized manner.

1979 - AB 8 repealed the maximum eight-year-use limit established by AB 531.

1980 - From time to time, the State Board of Education made procedural changes in the framework adoption process. These changes reduced the complexity and improved the effectiveness of the process. State Board actions taken in 1980 can be considered a benchmark in this overall effort. After several months of intensive study and discussion by the State Board, the Commission, other professional organizations, members of State Senator Albert Rodda's staff, and the Department, several changes were made in the adoption process that modified AB 531. The changes adopted were as follows:

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- o Establish a minimum of five and a maximum of eight adoptions of basic instructional materials for each grade level, K-8.
- o Eliminate the adoption of supplementary materials.
- o Schedule adoptions on a six-year schedule without biennial updates.
- o Provide a cash allotment of up to 20 percent of a school district's annual entitlement (15 percent on request; 5 percent automatically) to use to purchase nonadopted instructional materials that are in legal compliance.

1982 - After several bills concerning the elimination of the State ordering system were considered, AB 2561 was passed. This law allows school districts the opportunity to order textbooks and instructional materials directly from publishers or to continue to order through the State system. AB 2561 also codified the State Board policy of adopting basic materials.

Basic materials are defined in the Education Code as:

"...instructional materials designed for use by pupils as a principal learning resource and which meet, in organization and content, the basic requirements of the intended course."

Supplementary materials are defined as:

"...instructional materials designed to serve, but not limited to one or more of the following purposes, for a given subject, at a given grade level: (1) to provide more complete coverage of a subject or subjects included in a given course; (2) to provide for meeting the various learning ability levels of

pupils in a given age group or grade level; (3) to provide for meeting the diverse educational needs of pupils with a language disability in a given age group or grade level; (4) to provide for meeting the diverse educational needs of pupils reflective of a condition of cultural pluralism."

This review of the past in terms of the State's adoption program should be helpful in planning the future of the program so that its intended purposes are met.

Relevant Statistical Data

Funds allocated for textbooks and instructional materials account for 1.2 percent of the total education budget.

Table 1 shows the allocation of funds for instructional materials for K-8 and 9-12 students provided in fiscal year 1983-84.

Table 1

Allocations for Instructional Materials, 1983-84

<u>Grade Level</u>	<u>Number of Students</u>	<u>Per Pupil/Student Allocation</u>	<u>Total Allocation</u>
K-8	2,772,721 (total ADA)	\$21.18 per unit of ADA*	\$58,726,823
9-12	1,263,904 (total enrollment)	14.41 per student enrolled	\$18,212,856

Total Expenditures for Instructional Materials \$76,939,679

*Actual amount distributed was \$20.8914, as part of the allocation is held back for fast growth school districts, emergencies such as replacement of materials that are destroyed by flood and fire, and for large print and Braille materials.

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Allocations of funds for instructional materials for kindergarten through grade eight from 1973-74, the first year the fund was established, through 1983-84 are shown in Table 2. Since the enactment of SB 813, students in grades nine through twelve are also served by the instructional materials program, and the allocation for the high school level is shown in Table 1.

Table 2

Annual Allocations for Kindergarten Through Grade Eight

<u>Year</u>	<u>Per Pupil Allocation</u>	<u>Total Allocation</u>
73-74	\$ 7.00	\$23,989,497
74-75	7.43	25,031,936
75-76	8.25	27,527,178
76-77	9.01	29,920,836
77-78	9.53	31,279,586*
78-79	8.92	28,689,794
79-80	12.64	38,551,080
80-81	13.97	42,045,545
81-82	16.20	44,483,965**
82-83	14.72	40,678,000
83-84	21.18	58,726,823

*Toward the end of 1977-78 fiscal year, an additional \$19,361,286 was added to the IMF by State Board action and AB 65.

**Private school students excluded from receipt of IMF beginning 1981-82 fiscal year.

A total of \$550,000 is allocated annually from the Instructional Materials Fund (IMF) for large print and Braille materials. This allocation serves 1,250 students who require such materials. The expenditures by school districts using the petition process for nonadopted basic instructional materials have averaged \$1.5 million per year for the last four years, as shown in Table 3.

Table 3
Expenditures by Districts That Used the Petition Process

<u>Year</u>	<u>Total IMF Expenditures</u>	<u>60200(c) Expenditures</u>
1979-80	\$38 million	\$2,588,004.00
1980-81	42 million	\$1,712,201.00
1981-82	44 million	\$ 555,302.00
1982-83	40 million	\$1,260,877.46

As previously indicated, school districts now have the option of ordering materials directly from publishers or continuing to order through the State system. Table 4 shows how many school districts maintaining elementary schools exercised each of the two options in 1983-84.

Table 4
Data for Districts Using the Direct Order
and State Order Systems in 1983-84

	<u>Number of Districts</u>	<u>ADA</u>	<u>1983-84 IMF Entitlements*</u>
Direct Order	249	1,440,292	\$29,950,000
State Order	739	1,332,457	\$28,810,197

*These figures do not total \$58,726,823, as shown on Table 2, because of quarterly adjustments.

Table 5 shows the gain or loss to the Instructional Materials Fund from the State manufacture of textbooks from 1979 through 1982.

An important and final statistic is that as much as 95 percent* of a student's instructional time is spent using textbooks and instructional materials, which is another factor that indicates the importance of the selection and adoption process.

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*See EPIE Institute, "Report on a National Study of the Nature and the Quality of Instructional Materials Most Used by Teachers and Learners," EPIE Report, Number 76, 1977. For a broad examination of the role of the textbook in school learning, see the various contributions in John Y. Cole and Thomas G. Sticht, Eds., The Textbook of Congress on May 2-3, 1979 (Washington, D. C.: Library of Congress, 1981).

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Table 5
INSTRUCTIONAL MATERIALS STATE PRINTING COST REPORT FROM 1979 THROUGH 1982

	1979 ACTUAL		1980 ACTUAL		1981 ACTUAL		1982 ACTUAL
K-8 IMF Appropriation	\$38.4 million		\$38.4 million		\$42.7 million		\$44.3 million
State-Printed Materials	1,915,827		508,416		635,000		1,361,700
● Quantity	\$6,298,756		\$1,608,131		\$3,877,250		\$7,274,396
● Purchase Value							
● Cost of State Printing	\$2,331,656 - 38%		\$558,678 - 33%		\$1,136,300 - 34%		\$2,314,882 - 32%
A. IMF Expenditures	248,564 - 4%		146,309 - 9%		118,114 - 3%		225,432 - 3%
1. To State Printer (1)	3,572,074 - 58%		987,084 - 58%		2,091,300 - 62%		3,625,566 - 50%
2. To Dept. of Educ.							
3. To Publishers (3)							
24 TOTAL EXPENDITURES	\$6,152,294		\$1,692,071		\$3,345,714		\$6,708,166
Fund Gain/(Loss)	\$ 146,462 +2.3%		\$ (83,940)* -5.2%		\$ 531,536 +13.7%		\$ 568,476 +8.0%
(Purchase Value-Expenditures)							
B. General Fund Expenditures							
1. To Dept. of Educ. (4)	-0-		-0-		\$ 29,365 - 1%		\$ 40,851 - 1%
Net Gain/(Loss)							
	\$ 146,462 +2.3%		\$ (83,940)* -5.2%		\$ 502,171 +12.9%		\$ 527,625 +7.0%

(1) Manufacturing expense - materials, printing, binding

(2) Warehouse and shipping expense, administrative support

(3) Film Lease, teacher edition purchases, royalty payments

(4) Administrative support after 1980, includes warehouse requisitions, inventory maintenance, royalty payments

* Material printed at a loss due to improper application of estimated warehouse - shipping expense during item cost estimating for state printing selection

Identification of Unmet Needs

Part of the request in Senate Bill 1155 was to identify any "unmet need for the intended purposes of the program." The unmet needs in the instructional materials program may be related to each of the program's basic purposes, as outlined earlier in the introduction and discussed below.

Standards for Content

o Establish clear standards for the educational and social content of textbooks and instructional materials.

As textbooks have been used for a long time as the major means of defining school curriculum, the primary purpose of the State adoption program must be to improve the quality of the textbooks and instructional materials used by the students. An important mechanism for accomplishing this purpose is the establishment of standards and criteria for evaluating textbooks and instructional materials.

Standards and criteria, as previously indicated, have been set for the social content and educational content of textbooks and instructional materials. Significant improvement has been noted in the social content of materials in particular. Specifically, there are fewer examples of materials that demean or stereotype men and women or the various ethnic groups than in the past. Ethnic pejoratives have been virtually eliminated from textbooks and instructional materials that have been submitted for adoption. No job is referred to in a demeaning manner. State Board policies concerning the depiction of the disabled and the aged have set a new standard in the nation

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for appropriate social content. As a result of the legal and policy standards that have been established (Attachment 4), materials also encourage thrift, fire prevention, and the eating of nutritious food, while discouraging the use of "junk food," the use of dangerous substances, and brand names and corporate logos that might serve as "hidden persuaders." Chart 1 illustrates the decreasing number of materials cited for noncompliance in the State's legal compliance process. (See Chart 1 on the next page.)

Yet, while the educational content of textbooks and instructional materials has become a potent issue in the current "search for excellence" in our schools, positive change in the educational content of instructional materials cannot be clearly documented. Moreover, there is a strong indication that the quality of textbooks and instructional materials must be improved.

The current adoption program is characterized by a more coordinated approach to writing curriculum frameworks and adopting instructional materials. Since 1980, the criteria for selecting instructional materials have been written into the curriculum framework for each subject. The results have been promising in that there was emphasis on problem solving in the mathematics textbooks adopted in 1981, as called for in the Mathematics Framework and the 1980 Addendum. More attention was paid to the development of comprehension skills in the reading textbooks adopted in 1982, as called for in the Reading Framework for California Public Schools.

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Chart 1
SUMMARY OF LEGAL COMPLIANCE ACTIVITY 1975-- 1982

	1975-76	1976-77	1977-78	1978-79	1979-80	1980-81	1981-82
ITEMS EVALUATED	1,963	1,923	1,957	1,908	4,585	1,290	1,723
ACCEPTED FOR LEGAL COMPLIANCE AS SUBMITTED	1,327 (67.6%)	1,548 (85.4%)	1,630 (83.3%)	1,878 (93.9%)	4,400 (95%)	1,268 (98%)	1,561* (91%)
ACCEPTED FOR LEGAL COMPLIANCE AFTER REVISION	219 (11.2%)	70 (3.6%)	93 (4.3%)	5 (0.3%)	64 (1%)	12 (1%)	74 (4%)
WITHDRAWN (after receiving citation of noncompliance)	369 (18.8%)	36 (1.9%)	74 (3.8%)	30 (1.5%)	-0- (0%)	3 (1%)	88 (5%)
REJECTED FOR LEGAL NON-COMPLIANCE	48 (2.4%)	175 (9.1%)	160 (8.1%)	84 (4.2%)	121 (3%)	2 (0%)	0 (0%)

* Includes 81 items voted as "Special purpose" items during the appeals.

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California's effect on the educational content of the history-social science textbooks adopted by the State Board of Education in September, 1983, is also evident. For example, the History--Social Science Framework for California Public Schools outlined settings for publishers to use in developing books for each grade level, as follows:

Traditional Settings

- K Home and School
- 1 Home, School, Families
- 2 Neighborhoods
- 3 Communities
- 4 Our Country: Geographic Regions
- 5 Our Country and Its History
- 6 Latin America and Canada
- 7 World Geography and Culture
- 8 United States History

Framework Settings

- K Myself and Others in the World
- 1 People at Home and at School
- 2 People as Members of Groups
- 3 People as Members of Communities
- 4 The People of a Region: California
- 5 The People of a Nation: The United States of America
- 6 Our World, Its Diverse Peoples, and Their Societies
- 7 The Changing World
- 8 The American Experience

One indication that publishers responded to the State's criteria is that seven fourth grade California history and geography textbooks were adopted in 1983 in addition to the one textbook that had been available previously.

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More significant than what was covered, was how material was covered in the history-social science materials adopted last year. Frances Fitzgerald, in her book America Revised (Little, Brown & Co., 1979), had criticized the previous generation of history textbooks in several areas. One of the criticisms was that the students have no idea as to why they have to learn history. The textbooks recently adopted by the State Board demonstrate a renewed emphasis on history, and most of the materials on the United States designed for fifth graders describe how we learn about the past and offer explanations about why the history of the United States is to be studied. Ms. Fitzgerald has attributed the "achieved dullness" of the books she reviewed to the neglect of biography. The "putting back" of people into textbooks was evident in the materials adopted by the State Board. However, there is room for improvement in these books in terms of providing students with more challenging, as well as interesting, material and opportunities for students to "do history" and take an active role in examining evidence and drawing conclusions.

The need for more substantive fare and intellectually more demanding fare has been identified in textbooks and instructional materials in other subject areas as well, and the following are indicators of the need to upgrade textbooks and instructional materials:

- o Jeanne Chall makes a connection between the decreasing trend in the difficulty and challenge of textbooks and the declining SAT scores. (J. S. Chall, with S. S. Conrad and S. H. Harris, "An Analysis of Textbooks in Relation to Declining SAT Scores," Harvard University, November 1976.)

- o The National Commission on Excellence in Education reports on page 21 in A Nation at Risk (1983), "During the past decade or so a large number of texts have been 'written down' by their publishers to ever-lower reading levels in response to perceived market demands."
- o "The supremacy of the textbooks is the most serious limit on science learning," according to Robert Yager and John Pinick in "School Science Crisis," Curriculum Review, 1983.
- o According to Richard C. Anderson in an article titled "Reading Research and Reading Practice," a second major problem (in school reading materials) is the quality of school reading materials.

In response to the request to improve their products, some publishers indicated that they will have to survey the market, which could take from two to five years. The challenge of improving education exists today. Consequently, two to five years is a long time to wait for a market analysis. The adoption process can be mobilized so that standards and criteria for textbooks and instructional materials can be refined and defined to give publishers a clear message and direction as to how to upgrade their materials. It should be stated at this time that these standards and criteria are to be developed for student materials to be used in grades nine through twelve, as well as student materials in kindergarten through grade eight, as SB 813 calls for the Superintendent of Public Instruction to review materials for secondary schools.

The need for improved standards and criteria for textbooks and instructional materials can be considered an unmet need in the present program. This particular need could be addressed in part by redirecting efforts from activities related to the process by which materials are adopted to activities dealing with substantive matters concerning the social and educational content of textbooks and instructional materials.

Importance of Selection Process

The process by which textbooks and instructional materials are selected has a significant impact on the quality of those materials. The issues related to the evaluation of materials for adoption and the centralized administration of the adoption process are inseparable; the following purposes of the adoption program for instructional materials will be examined together:

- o Evaluate textbooks and instructional materials for adoption by using the standards established in a manner that is fair and thorough.
- o Provide for the centralized administration of the adoption process to ensure that textbook standards are carefully developed and consistently applied.

As previously indicated, it seems possible to redirect some of the attention that has been given to procedural matters to substantive issues concerning the content of textbooks and instructional materials. The reason this may be possible is that the process has been refined as a result of the efforts of the Legislature, the State Board of Education, the Curriculum Commission, and the Department; to improve the overall effectiveness of the adoption program.

Specific areas in which improvement in the process has been noted are in the coordination of the framework/adoption processes, the shortening of the overall timeline for adopting instructional materials, the revision of the standards for evaluating the social content of materials, the establishment of a centralized evaluation process for evaluating textbooks, the decision to adopt basic materials only on a six-year schedule without biennial updates, and the monitoring of prices and contracts with publishers.

Other changes in the adoption process that have increased the flexibility of local school districts are extending the deadlines for ordering through the State system, allowing school districts the option to order materials directly from publishers, eliminating the adoption of supplementary materials, and revising the standards that school districts use to obtain nonadopted basic textbooks and instructional materials. More detailed explanations of the recent changes in the adoption process follow. All of the changes described have been made in the last four years.

Framework/Adoption Process

As previously indicated in this report, framework development and the textbook and instructional material adoption process have been carefully linked. The criteria for selecting instructional materials are an important component of the curriculum framework for each subject area. The framework/adoption process provides the foundation for many of the curriculum development activities performed by the local school district. An article describing the role of the framework/adoption process in curriculum development is attached. (See Attachment 8.)

Adoption Timeline

Since 1975, the Legislature and certain control agencies have requested that the Department shorten the overall adoption timeline, and it has been decreased by eight months. Figure 2 compares the current adoption timeline with the 1976-1978 timeline.

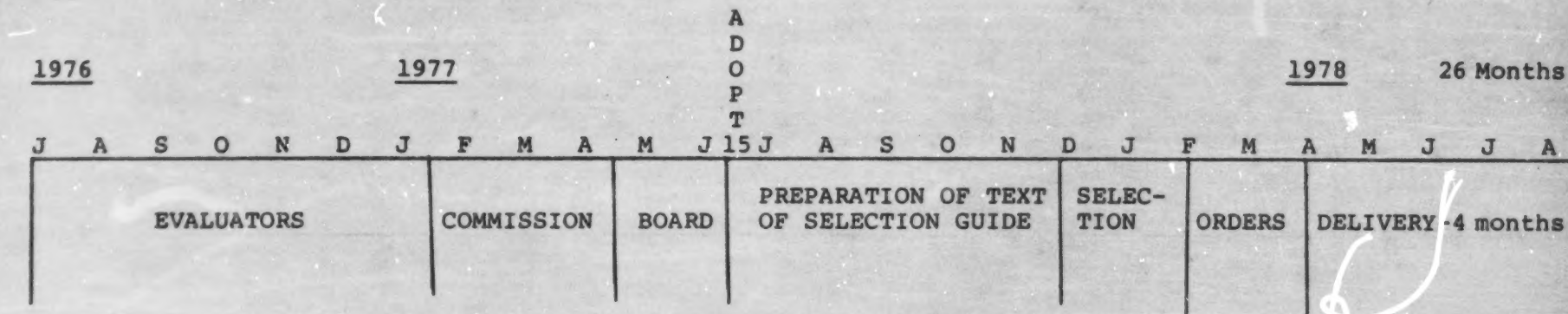
Legal Compliance Standards

The attached "Standards for Evaluation of Instructional Materials with Respect to Social Content" were approved by the State Board of Education in 1982. (See Attachment 4.) This was the first major revision of these standards. Legal compliance reviewers who evaluated the 1982-83 legal compliance process indicated that the new document is clear and useful. Because of the new funding in SB 813 for high school materials and the requirement that textbooks for grades nine through twelve be reviewed for legal compliance, secondary schools have become very interested in using the standards.

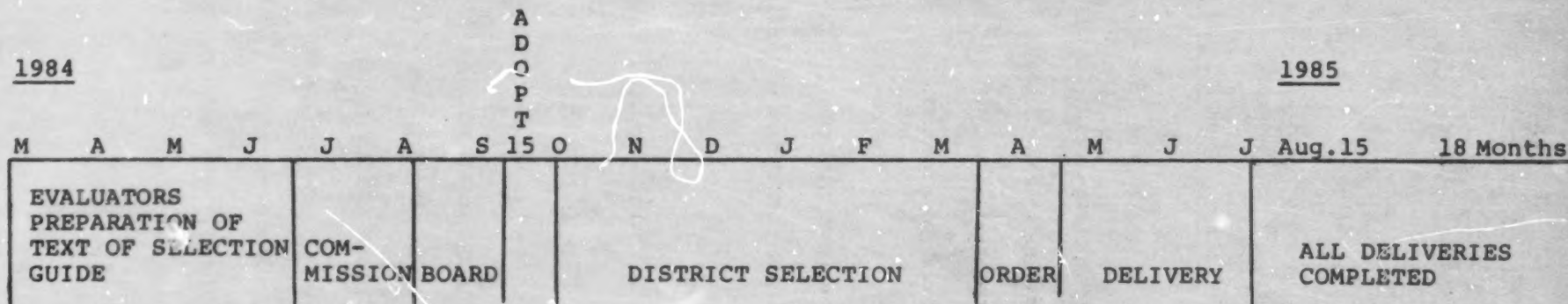
Centralized Evaluation Procedures

The Curriculum Commission agreed in 1978 that Instructional Materials Evaluation Panels (IMEPs) must meet as a group in order to review effectively instructional materials. Evaluators working in isolation did not supply the kind of input needed for the Curriculum Commission and the State Board to use to make informed judgments. Since 1981, IMEPs have met to conduct evaluation of instructional materials at three centralized locations. Members reflect the State's geographic diversity, and of even greater significance is the fact that the reviewers are representative of a wide range of professional roles, including those of the teacher, administrator, and curriculum specialist.

1976-78 and 1984-85 ADOPTION TIMELINES



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For the first time, the Legal Compliance Committee (LCC) will also conduct its evaluations in three centralized locations this year. A successful pilot test of the procedure indicated that centralizing the process will result in a more thorough and thoughtful evaluation, as has been the case with the educational content review.

Basic Adoption

Until 1980, the State Board adopted basic and supplementary materials. The decision to adopt only basic materials has resulted in a more thorough evaluation of those materials. Also, the decision to adopt materials on a six-year schedule without updates every two years has led to a more effective and efficient use of resources allocated to the review of instructional materials.

Price Monitoring and Recovery Project

Supplemental language to the 1978 State Budget Act (Item 295.13) directed the Department to implement a system, based on selective sampling, for reviewing textbook prices and to submit a report to the Legislature by January 1 of each year. In response, the Department established a system for reviewing prices and a Recovery Project.

Contract monitoring has resulted in a savings of \$1,536,000 to the IMF in the past two years. These savings were realized because certain publishers voluntarily reduced the prices of materials when their prices were found not to be competitive. In these instances they provided exchange price allowances

which are discounts in the price of adopted textbooks. Those publishers that provide the allowances have the option of retrieving the textbooks when they are out of adoption; typically, however, publishers have not exercised this option. Contract monitoring activities also serve to keep school districts informed of materials that are being offered for "free" by publishers.

Through the Recovery Project, the Department has collected \$464,000 in reimbursements for the IMF from the settlement of issues regarding the "most favored nation" clause, which guarantees that California does not pay more for materials than any other state in the country pays. Settlements which could amount to \$500,000 are still pending.

Large print royalties in the amount of \$35,000 have been recovered from publishers. Pending reimbursements of large print royalties could add \$5,000 to the amount recovered from publishers.

Deadlines for Orders

As illustrated in Figure 2, the deadline for submitting orders to be processed has been extended to allow school districts more time for completing the important task of selecting materials. School districts now have six months rather than two months, as on the previous timeline.

Options for Ordering

School districts may now elect to order directly from publishers or to continue to order through the State's system. The direct-order option allows school districts to earn interest on the cash allotted for instructional materials for the sole purpose of purchasing additional materials.

Elimination of Adoption of Supplementary Materials

As well as having the effect of allowing the reviewers the opportunity to spend time examining basic textbooks, eliminating the adoption of supplementary materials has resulted in the availability of more basic materials for districts to purchase. Under 1972 legislation, the State Board could adopt 5—15 basic and supplementary materials; however, since 1980, supplementary materials have not been adopted, but they are still reviewed for legal compliance at the State level, and there is no limit as to the number of materials approved for legal compliance.

The State Board also acted in 1980 to allow school districts to use up to 20 percent of their allotment to purchase supplementary materials that are listed in the Instructional Materials Approved for Legal Compliance but not adopted. School districts now have an extensive list of such materials, including computer software, from which to make selections.

Petition Process

School districts are allowed to petition the State Board to obtain non-adopted basic instructional materials. (See Attachment 5.) This provides school districts with the flexibility to obtain materials to meet the special needs of their student populations.

Procedural Changes

In order to meet the intended purposes of the IMF, changes in the following procedures should be considered:

1. Payment process--Publishers have indicated a need for a speedier process for the payment of State credit orders.
2. Review--Appropriate procedures need to be developed for the review of instructional materials for high schools. The development of such procedures is under way in the Department. It is important that the review process be coordinated with the existing instructional materials program.
3. Technology--With the technology now available, it seems imperative that its appropriate application to all aspects of the textbook and instructional materials adoption program be studied. It is apparent that the appropriate technological applications could improve the overall effectiveness and efficiency of the adoption process.

As in the past, a continuous effort needs to be made to improve the procedural aspects of the adoption process so that standards are thoroughly and consistently applied.

Selection of Textbooks and Instructional Materials

The report of the National Commission on Excellence in Education, A Nation at Risk, recommends that "consumer information services" be made available to the purchasers of textbooks and instructional materials.

This seems appropriate, as one of the most important decisions made by school districts is the selection of the textbooks and instructional materials that will be used extensively by students. In fact, one of the unmet needs in the adoption program is the improvement of the selection process at the local level, which was identified earlier as a basic purpose of the adoption program:

- o Allow for flexibility in the selection of textbooks and instructional materials at the local level by adopting high quality materials which meet the educational needs of students in the State. Provide objective information that the school districts can use in making their selections of instructional materials.

This need is met to a certain extent at the present time by the Department's publishing of "Program Descriptions," which contain an analysis of the adopted textbooks and instructional materials in each subject area and which serve as selection guides for local school districts. The Department also publishes a "Price List and Order Form," which contains price information and can be used as an order form by the school districts that order through the State system. The "Program Descriptions" are published in cooperation with the State Board, the Curriculum Commission, and the County Superintendents' State Steering Committee on Publications. The State Steering Committee identifies the analysts who review the materials described, and it has provided statewide leadership in the development of the selection guides for a number of years.

In 1983 the Department conducted for the first time training on how to select materials. A "six-step selection process" was introduced that provided guidance to school districts in choosing and using textbooks and instructional materials. The Department is also supporting the efforts of the Alameda County Schools Office to develop a Model Adoption Plan (MAP) that will be helpful to school districts in selecting materials.

Another recent initiative by the Department in this area is an agreement with the Educational Products Information Exchange (EPIE) to provide more and improved assistance to school districts in terms of consumer reports on adopted materials and training in selecting textbooks and instructional materials. These increased efforts are designed to assist school districts to make informed decisions regarding the suitability of instructional materials for the local program.

The State's Instructional Materials Display Centers (IMDCs) play a critical role in the selection process. IMDCs maintain up-to-date collections of all State-adopted textbooks and instructional materials for school districts to use to select materials. One advantage to having such centers is that it is more cost effective to have textbook and instructional materials collections that can be used by many school districts rather than having samples provided to each school district, which would result in publishers' having to charge higher prices for their products. Several centers provide circulating sets of materials and bookmobiles that take the materials to small school districts in rural and remote areas. This display function has become the major service provided by IMDCs, even though such centers were established by the Legislature to allow for public participation in the adoption process. IMDCs also provide other services that support the adoption program, such as providing the sites and resources for the legal compliance and educational content evaluations.

A related and increasingly important function of the IMDCs is to establish and maintain a collection of materials for grades nine through twelve. As previously indicated, first-time special funding has been provided in SB 813 for the purchase of materials for high schools, and school districts are requiring more assistance in this area, which further supports the need for maintaining the IMDCs.

IMDCs are totally supported by the school districts and offices of county superintendents of schools in which they are located. These centers were established in 1972 by AB 531, but each center has received only \$600 in financial support. This has resulted in the closing of two IMDCs, leaving some geographic areas unserved. The financial support of IMDCs can be considered an important unmet need in the adoption program. It would cost \$145,000 to begin to address this need in 1984-85. This would mean that each IMDC would receive an allocation of \$5,000 in order to cover expenses related to conducting an inventory of newly submitted textbooks and instructional materials and maintaining the collection of adopted materials.

SB 813 requires the Superintendent of Public Instruction to review materials for high schools, using as a guide model curriculum standards to be developed by the Department and adopted by the State Board. SB 813 also requires that an appropriate review process be established. An important consideration must be how to provide the necessary assistance to school districts in the form of "consumer reports" and training. The development of such a plan is obviously an unmet need of the present adoption program because high school materials have not been subject to any kind of State level review in the past. The development of such a plan is included in the Department's 1983-84 budget.

As there are new resources for textbooks and instructional materials for kindergarten through grade twelve, it is important that the selection process be a thorough one, not just a "shopping spree" for books. The selection of textbooks and instructional materials by school districts provides an excellent opportunity to review the local instructional program, and this activity must be adequately supported at the State level.

Adequate Funds for Materials

The final purpose of the adoption program to be examined has to do with the funds available for school districts to purchase textbooks and instructional materials:

- o Ensure that adequate funds for the purchase of textbooks and instructional materials are available.

The National Commission on Excellence in Education reported that there has been a 50 percent decline in textbook spending over the past seven years. The American Association of Publishers (AAP) indicated that local school budgets for textbooks declined over 40 percent. Thus, while there is a call for major educational reform, the spending for these classroom tools has declined significantly.

As it has been pointed out in this report, textbooks and instructional materials are the most important tools used by teachers and students. Yet, the funding in this State has been well below the national average for a number of years. (See Chart 2.) The Legislature took a giant step in improving this situation with the passage of SB 813. Specifically, the allocation for kindergarten through grade eight was increased, and a first-time allocation was made for grades nine through twelve.

However, a "shortfall" does exist in that the funding for kindergarten through grade eight has been well below the statutory limit for the past four years. Cost of living adjustments were not being made to the IMF, and school districts were not able to supplement the allocations for instructional materials because of declining resources. The practical result of the "shortfall" has been that many youngsters are using out-of-date textbooks and instructional materials in important areas, such as science. One such textbook being used as a supplementary reference contains information that "many such landings may be necessary before a man is sent to the moon." Chart 3 compares statutory and actual IMF appropriations and illustrates the remaining shortfall. The need for "full funding" or an allocation that would restore cost of living adjustments that were not provided for the four-year period could be considered an unmet need in the present program.

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ESTIMATED INDUSTRY SALES OF ELEMENTARY AND HIGH SCHOOL TEXTBOOKS

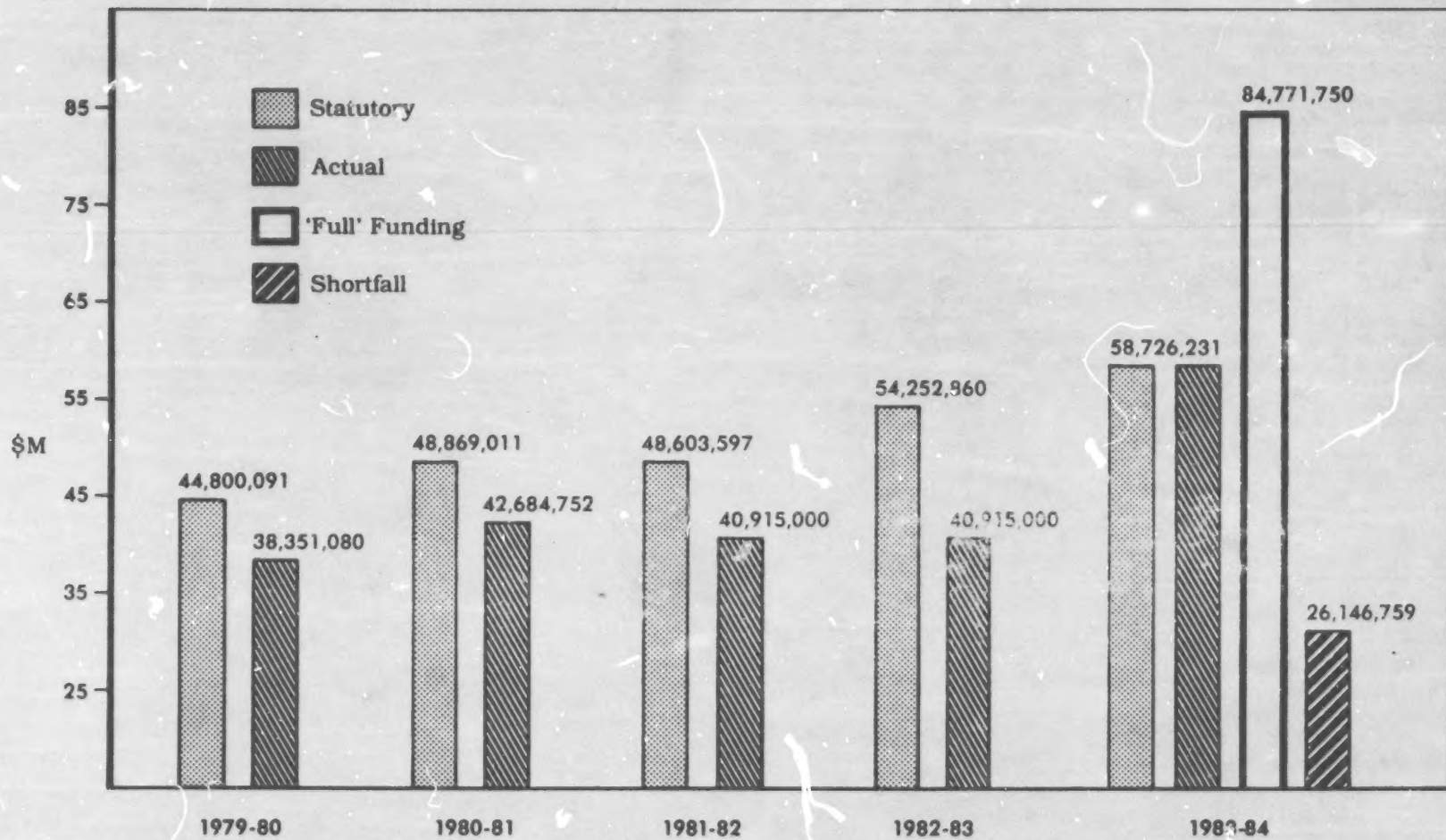
1978			1979			1980			1981		
State	Sales per capita	Rank	State	Sales per capita	Rank	State	Sales per capita	Rank	State	Sales per capita	Rank
Oklahoma	24.84	1	Dist. of Columbia	30.54	1	Arizona	29.01	1	Dist. of Columbia	33.73	1
Washington	23.84	2	Washington	27.51	2	Washington	28.04	2	North Dakota	33.14	2
North Dakota	23.27	3	Arizona	25.79	3	South Carolina	27.90	3	South Carolina	30.60	3
Alaska	23.20	4	Montana	24.91	4	Hawaii	27.85	4	Montana	29.93	4
South Carolina	22.43	5	Alaska	24.69	5	Wyoming	26.22	5	South Dakota	29.84	5
Montana	22.08	6	North Dakota	23.80	6	South Dakota	24.94	6	Wyoming	29.76	6
Hawaii	21.97	7	South Dakota	23.50	7	Alaska	24.55	7	Hawaii	28.89	7
South Dakota	21.21	8	Nevada	23.12	8	Arkansas	24.49	8	Illinois	27.88	8
Nebraska	21.20	9	Wyoming	22.87	9	Illinois	24.36	9	Alaska	27.47	9
Illinois	20.64	10	Hawaii	22.86	10	North Dakota	24.28	10	Kansas	27.47	10
Arizona	20.43	11	Arkansas	22.83	11	Montana	24.04	11	Arizona	27.32	11
Nevada	19.95	12	Nebraska	22.77	12	North Carolina	23.99	12	Oklahoma	25.92	12
Wyoming	19.57	13	North Carolina	22.65	13	New Jersey	22.97	13	Minnesota	25.48	13
Indiana	19.30	14	Kentucky	22.41	14	Dist. of Columbia	22.74	14	New Jersey	25.26	14
New Jersey	18.61	15	Delaware	22.16	15	Oklahoma	22.47	15	Colorado	24.98	15
Arkansas	18.55	16	Illinois	21.97	16	Colorado	21.76	16	Missouri	24.92	16
Kansas	18.51	17	Missouri	21.20	17	Missouri	21.69	17	Washington	24.80	17
Iowa	18.49	18	Iowa	21.10	18	Iowa	21.21	18	Nebraska	24.15	18
Missouri	18.47	19	South Carolina	20.99	19	Nebraska	21.06	19	Rhode Island	24.03	19
New Hampshire	18.44	20	New Jersey	20.85	20	Kansas	20.91	20	West Virginia	23.53	20
Dist. of Columbia	18.28	21	New Mexico	20.75	21	Kentucky	20.86	21	Wisconsin	23.46	21
Kentucky	17.98	22	Kansas	20.70	22	Nevada	20.72	22	Nevada	23.01	22
Colorado	17.68	23	Colorado	20.60	23	Minnesota	20.49	23	Connecticut	22.75	23
Oregon	17.30	24	Virginia	20.45	24	Rhode Island	20.08	24	New Mexico	22.71	24
Wisconsin	17.24	25	Wisconsin	19.52	25	Delaware	20.05	25	Delaware	22.54	25
Minnesota	17.04	26	Minnesota	19.25	26	New Mexico	20.05	26	Iowa	22.15	26
Maine	16.96	27	Texas	19.00	27	Connecticut	19.81	27	Florida	21.48	27
Connecticut	16.82	28	New Hampshire	18.97	28	New Hampshire	19.45	28	New Hampshire	20.99	28
NATIONAL AVERAGE	16.38		NATIONAL AVERAGE	16.62		Georgia	19.42	29	Georgia	20.96	29
Georgia	16.27	29	Connecticut	18.60	29	Wisconsin	19.34	30	North Carolina	20.96	30
North Carolina	15.99	30	Georgia	18.31	30	Florida	19.23	31	NATIONAL AVERAGE	20.63	
Michigan	15.89	31	Oklahoma	18.30	31	NATIONAL AVERAGE	19.12		New York	20.62	31
Delaware	15.80	32	Oregon	18.30	32	Oregon	18.43	32	Virginia	20.54	32
Rhode Island	15.77	33	Rhode Island	18.29	33	Idaho	18.19	33	Oregon	20.34	33
New York	15.53	34	Florida	17.91	34	Maine	17.96	34	Maine	19.97	34
Utah	15.48	35	Michigan	17.61	35	Louisiana	17.85	35	Arkansas	19.96	35
Massachusetts	15.43	36	New York	17.55	36	CALIFORNIA	17.82	36	Pennsylvania	19.20	36
Virginia	15.31	37	Maine	16.89	37	Michigan	17.81	37	Ohio	18.60	37
CALIFORNIA	15.12	38	Pennsylvania	16.63	38	New York	17.71	38	Maryland	18.53	38
Vermont	14.80	39	Alabama	16.48	39	Ohio	17.33	39	CALIFORNIA	18.32	39
Pennsylvania	14.73	40	Utah	16.47	40	Utah	17.32	40	Vermont	18.10	40
Maryland	14.63	41	Maryland	16.29	41	Pennsylvania	17.24	41	Michigan	18.09	41
Florida	14.53	42	Massachusetts	16.27	42	Maryland	17.05	42	Louisiana	17.81	42
Mississippi	14.51	43	Vermont	16.15	43	Massachusetts	16.53	43	Texas	16.90	43
Idaho	14.45	44	Indiana	15.92	44	Tennessee	16.36	44	Mississippi	16.85	44
Alabama	13.78	45	Louisiana	15.91	45	Mississippi	16.26	45	Indiana	16.26	45
West Virginia	13.50	46	Ohio	15.91	46	West Virginia	15.74	46	Idaho	16.07	46
Texas	13.41	47	CALIFORNIA	15.80	47	Vermont	15.64	47	Massachusetts	15.64	47
Tennessee	13.19	48	Tennessee	15.49	48	Alabama	15.51	48	Alabama	14.97	48
Ohio	12.99	49	Mississippi	15.00	49	Virginia	14.85	49	Kentucky	13.46	49
Louisiana	12.29	50	Idaho	14.16	50	Texas	14.11	50	Utah	13.30	50
New Mexico	11.92	51	West Virginia	14.02	51	Indiana	13.81	51	Tennessee	11.35	51

Source: Association of American Publishers

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Chart 3

COMPARISON OF STATUTORY vs ACTUAL INSTRUCTIONAL MATERIALS FUND APPROPRIATIONS, 'FULL' FUNDING AND REMAINING SHORTFALL



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Adequate funding is still an unmet need in the adoption program. As indicated on Chart 3, it would take \$26,146,759 to provide full funding for instructional materials. Full funding is the amount of money needed above the current year's allocation to purchase consumable replacements for previously adopted materials, as well as the basic items for newly adopted materials.

It is not clear what impact the allocation for high school materials will have. There is a lot of anecdotal information that high school students in our State were using 1963 geography books and 1965 civics texts. Many students were sharing available textbooks and materials to do their homework at home. Further study is needed to determine how much the new funds will alleviate these situations.

The unmet needs identified in this section of this report serve as the bases for the recommendations that follow.

Recommendations

The recommendations for improving the textbook and instructional materials adoption program have been aligned with the major purposes of the program and if followed, would fulfill the unmet needs that have been identified.

The first area in which recommendations are being made is that of standards and criteria for improving the content of textbooks and instructional materials. All of the recommendations being made in this area are implementation issues and would not require additional legislation or funding. It is recommended to:

1. Establish an interstate and intrastate coalition of textbook and instructional materials buyers that would develop standards and criteria for improving educational materials. The intrastate coalition would include representatives of the State Board of Education, the Curriculum Commission, business and industry, and the Department and professional educators from elementary, secondary, and postsecondary levels. Interstate representation could be drawn from twenty-one other states that adopt instructional materials.
2. Develop standards and criteria to reflect a synthesis of the content of the state's curriculum frameworks and contemporary educational research on topics such as teacher effectiveness and thinking skills.
3. Focus these standards and criteria on the educational content and readability levels of textbooks and instructional materials.

4. Develop in 1984 standards and criteria for materials in the subjects of mathematics and reading/literature so that publishers have the opportunity to change their materials to meet those standards prior to the adoptions in these subjects scheduled for 1986 and 1988, respectively.
5. Develop standards and criteria for materials which address the special needs of students achieving at grade level, above grade level, and below grade level.
6. Develop standards and criteria for high school materials, as well as for elementary school materials, even though materials for high schools are not adopted.
7. Encourage publishers to participate in the efforts to develop new standards and/or criteria and become partners early in the process.
8. Establish a user verification process for publishers to carry out learner-teacher based evaluations and to redesign or revise their materials, if necessary, as a result of such evaluations; information obtained in this process can be used in the development of new standards and criteria for materials.
9. Develop standards and criteria this year that can be presented to the Legislature by the Superintendent of Public Instruction and the State Board as the response to ACR 13, which calls for "uniform textbook standards." (See Attachment 7.)

The next set of recommendations deals with the adoption process and the central administration of that process. These are implementation issues.

It is recommended to:

1. Maintain State leadership in order to renew standards and criteria needed to upgrade the quality of materials, to handle the accounts of school districts that order through the State system, and to interpret the laws regarding the adoption and purchase of textbooks and instructional materials.
2. Maintain the current flexibility available to school districts via a multiple list of adopted materials and nonadopted supplementary materials and the waiver process, which allows school districts to petition the State Board to purchase nonadopted materials.
3. Better inform all professional educators and the public about the goals of the adoption program and the roles and responsibilities of all participants.
4. Provide incentives, such as college credit, to professional educators who serve as IMEPs and, thus, encourage broad participation in the adoption program.
5. Develop procedures for the review of high school materials, as required by SB 813.
6. Utilize current technology to its best advantage in the adoption program; possible applications of technology are: (a) computerization of forms used to evaluate textbooks and instructional materials for legal compliance and educational content; and (b) interstate computer communication system for price comparisons.

The next area in which recommendations are being presented is that of the textbooks and instructional materials selection process. These are also implementation issues, with the exception of IMDC funding, which is a fiscal issue. It is recommended to:

1. Eliminate duplication of effort through an initial screening at the State level and the publication of useful information from that screening to be used for the local selection process.
2. Develop guidelines to help school districts use the information provided effectively.
3. Do a study to determine what an appropriate level of support of Instructional Materials Display Centers (IMDCs) would be and that, in the interim, an allocation of \$5,000 be made to each of the 29 centers.
4. Assist school districts in the selection process by providing "consumer reports" and guidelines for both the high school and the elementary levels.
5. Emphasize the importance of the role of the teacher in selecting textbooks and instructional materials.

The final set of recommendations pertains to the funds available for the purchase of textbooks and instructional materials. These recommendations would require legislation, except for 2c. It is recommended to:

1. Support legislation that would provide "full funding" for the purchase of textbooks and instructional materials at the elementary school level.

2. "Stretch" the Instructional Materials Fund (IMF) for elementary schools by:

- a. Eliminating taxes on instructional materials which would increase school districts' purchasing power by 6 percent. (Several adoption states do not charge taxes.)
- b. Providing in a "lump sum" a school district's entire allocation for instructional materials at the elementary school level, as is done with the high school allocations under SB 813. The current allocation for elementary schools in ten equal payments reduces the interest that a district can accumulate and use for educational purposes.
- c. Investigating how State-printed materials can be purchased by school districts that order directly as well as by school districts that order through the State system, so that savings from State printing can continue to be realized.

School improvement and the quality of textbooks and instructional materials are inseparable. The constitutionally mandated adopted program provides the opportunity to ensure that high quality textbooks and instructional materials are supplied to California's students in an efficient manner.

ATTACHMENT 1
FRAMEWORK/ADOPTION CYCLE
Six-year Cycle

Start framework/adoption -	81	82	83	84	85	86	87	88	89	90
Complete framework/adoption -	82	83	84	85	86	87	88	89	90	91
Distribute framework/materials -	83	84	85	86	87	88	89	90	91	92
READING-LITERATURE	A			F			A			
SOCIAL SCIENCES INTERDISCIPLINARY (K)		A			F			A		
ART-MUSIC, BILINGUAL, FOREIGN LANGUAGES			A			F			A	
SCIENCE - HEALTH	F			A			F			A
MATHEMATICS		F			A			F		
ENGLISH AND RELATED SUBJECTS			F			A			F	

A = Adoption Process (Instructional Materials)

F = Framework

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ATTACHMENT 2

CALIFORNIA INSTRUCTIONAL MATERIALS DISPLAY CENTERS (IMDC)

HUMBOLDT COUNTY SCHOOLS
901 Myrtle Avenue
Eureka, CA 95501
(707) 445-5411

CALIFORNIA STATE UNIVERSITY
LARC Curr. Materials Center
Chico, CA 95929
(916) 895-6421

PLACER COUNTY SCHOOLS
360 Nevada Street
Auburn, CA 95603
(916) 823-6222

SACRAMENTO COUNTY SCHOOLS
9738 Lincoln Village Drive
Sacramento, CA 95827
(916) 366-2514

SONOMA COUNTY SCHOOLS
410 Fiscal Drive, Rm. 111-E
Santa Rosa, CA 95401
(707) 527-2477

ALAMEDA COUNTY SCHOOLS
313 West Winton Avenue
Hayward, CA 94544-1198
(415) 881-0152

STANISLAUS COUNTY SCHOOLS
801 County Center III Court
Modesto, CA 95355
(209) 571-6593

FRESNO COUNTY SCHOOLS
2314 Mariposa Street
Fresno, CA 93721
(209) 488-3991

MONTEREY PENINSULA U. S. D.
540 Canyon del Rey
Monterey, CA 93940
(408) 649-1814

KERN COUNTY SCHOOLS
5801 Sundale Avenue
Bakersfield, CA 93309
(805) 398-3600

UNIVERSITY OF CALIFORNIA
Library, Room 1414
Santa Barbara, CA 93106
(805) 961-3060

GLENDALE UNIFIED SCHOOL DIST.
223 North Jackson Street
Glendale, CA 91206
(213) 241-3111

SAN BERNARDINO COUNTY SCHOOLS
201 North "E" Street, 2nd Fl.
San Bernardino, CA 92415
(714) 383-1182

LOS ANGELES U. S. D.
1320 West 3rd Street
Los Angeles, CA 90017
(213) 625-6994

LOS ANGELES COUNTY SCHOOLS
9300 East Imperial Highway
Downey, CA 90242
(213) 922-6359

RIVERSIDE COUNTY SCHOOLS
3939 Thirteenth Street
Riverside, CA 92502
(714) 788-6685

ORANGE COUNTY SCHOOLS
200 Kalmus
Costa Mesa, CA 92627
(714) 966-4488

IMPERIAL COUNTY SCHOOLS
1398 Sperber Road
El Centro, CA 92243
(619) 339-6429

SAN DIEGO COUNTY SCHOOLS
6401 Linda Vista Road
San Diego, CA 92111
(619) 292-3607

CONTRA COSTA COUNTY SCHOOLS
2371 Stanwell Drive
Concord, CA 94520
(415) 671-4554

OAKLAND UNIFIED SCH. DIST.
314 East 10th Street
Oakland, CA 94606
(415) 836-8318

SAN FRANCISCO U.S.D.
2550 25th Avenue
San Francisco, CA 94116
(415) 565-9599

SAN MATEO COUNTY SCHOOLS
333 Main Street
Redwood City, CA 94063
(415) 363-5472

MERCED COUNTY SCHOOLS
632 West 13th Street
Merced, CA 95340
(209) 723-2031

INYO COUNTY SCHOOLS
135 Jackson Street
Independence, CA 93526
(619) 878-2426

TULARE COUNTY SCHOOLS
602 South Bridge St. Ste. B
Visalia, CA 93277
(209) 625-8380

CALIFORNIA POLY. STATE UNIV.
University Library
San Luis Obispo, CA 93407
(805) 546-2273

DESERT SANDS U. S. D.
83-651 Avenue 47
Indio, CA 92201
(619) 347-8631

VENTURA COUNTY SUPT. OF SCH.
Bldg. 156, Camarillo Airport
Camarillo, CA 93010
(805) 487-7711

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STATEMENT OF ACTIVITIES THAT ARE INCONSISTENT, INCOMPATIBLE,
OR IN CONFLICT WITH DUTIES OF A MEMBER OF AN EDUCATIONAL
POLICY ADVISORY COMMISSION OR A COMMITTEE
OR PANEL THEREOF

Education Code Section 33031 empowers the State Board of Education to adopt rules and regulations for its own governance and for the governance of its appointees and employees.

In order to protect the integrity and impartiality of advice to and decisions by the State Board of Education, the Board has determined the following employments, activities, and enterprises of any member of an educational policy advisory commission set forth in Sections 33500 through 33596 of the Education Code and committees and panels which are advisory to such commissions to be inconsistent, incompatible or in conflict with the duties of such membership.

1. INCOMPATIBLE ACTIVITIES

- A. Using the prestige or influence of such membership for the member's private gain or advantage or the private gain or advantage of another.
- B. Using for private gain or advantage, the facilities, equipment or supplies of the state.
- C. Using confidential information acquired by virtue of such membership for the member's private gain or advantage, or the private gain or advantage of another.
- D. The acceptance or receipt of any gift, money, gratuity, emolument, meal, beverage, entertainment, favor, or other valuable thing from any person, firm, or entity which does or is likely to do business with or submit materials or proposals to the commission of which he or she is a member or to which he or she renders advice.
- E. The appearance at a legislative hearing or before any administrative or judicial agency or tribunal purporting to represent the State Board of Education or the commission without approval in writing from the president of the State Board.
- F. Discussing any proposal or material which has been or is likely to be submitted to the commission of which he or she is a member or to which he or she renders advice with the person, firm or entity submitting such proposal or material or their representative except in a scheduled

meeting authorized by the chairperson of the commission, committee or panel, provided, however, that nothing contained herein shall restrict the member in the performance of any other employment, occupation, or profession.

2. CONFLICTS OF INTEREST

- A. Members of educational policy advisory commissions or committees or panels which are advisory to such commissions shall not be financially interested in any matter subject to review or approval by the commission of which they are members, including any employment; or have or negotiate any other contractual relationship with any person, firm, or organization submitting material to or otherwise doing business with the commission of which they are members. As used in this paragraph, a prohibited financial interest or other contractual relationship includes:
- (1) The receipt of payments or other compensation from such person, firm, or organization.
 - (2) An interest as contributor, author, editor, or consultant of any textbook or other material submitted to the commission of which they are members or to which they render advice, with respect to persons serving on a commission, committee or panel on and after February 1, 1975.
 - (3) The receipt of payments described in subdivision (1) from, or a contractual relationship with a person, firm, or organization (except an institution of higher education) which is a subsidiary of, controls, or is controlled by an entity which controls a firm or organization submitting material to or otherwise doing business with the commission.
- B. A member shall not be deemed to be interested in a matter within the meaning of this paragraph if he has only a remote interest in the matter and if the fact of such interest is disclosed in open meeting to the commission of which he is a member or an advisor and noted in its official minutes, and is also disclosed to the State Board and thereafter the commission or its advisory committee or panel authorizes, approves, or recommends the matter in good faith by a vote of its membership sufficient for the purpose without the participation of the member in the evaluation or discussion of the matter and without counting the vote of the member with the remote interest.

C. As used in this paragraph, "remote interest" means:

- (1) That as a nonsalaried officer of a nonprofit organization.
- (2) That as an employee or agent of a public entity or institution of higher education, if such entity or institution has ten (10) or more other employees or agents and the individual has been an employee or agent of said entity or institution for at least three years prior to his initially accepting his appointment to the commission, committee or panel.
- (3) That as an editor, consultant, contributor or author of a textbook or other materials which are not under consideration or review by the commission, when such service was performed prior to membership on the commission, committee, or panel and the member does not retain a present or future right to whatever compensation or other payments would accrue during service on the commission, committee or panel.

D. A member who, as a former consultant on textbooks or other materials, whether or not under consideration or review by the commission, shall not be deemed to be interested in a matter within the meaning of paragraph A (above) if he or she:

- (1) Has, neither presently nor for two years prior to membership on the commission, committee, or panel, had any contractual relationship or received any compensation for such consultant service.
- (2) Has, at any time prior to two years preceding membership, received a total payment per year for all such services which, in the judgment of the Board, is minimal.
- (3) Does not retain a present or future right to whatever compensation or other payments would accrue during service on the commission, committee or panel.

Adopted July 13, 1973
Amended March 14, 1974;
December 12, 1974;
October 15, 1976;
November 10, 1977

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ATTACHMENT 4

**STANDARDS FOR EVALUATION
OF INSTRUCTIONAL MATERIALS
WITH RESPECT TO SOCIAL CONTENT**

1982 Edition

Prepared by the
Curriculum Frameworks and Instructional
Materials Unit

CALIFORNIA STATE DEPARTMENT OF EDUCATION
Bill Honig, Superintendent of Public Instruction
Sacramento, 1983

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STANDARDS FOR EVALUATION OF INSTRUCTIONAL MATERIALS WITH RESPECT TO SOCIAL CONTENT

Need for Compliance Review

It is generally recognized that the interests, prejudices, and ideas children develop as they mature are influenced directly by everything they see and hear. They tend to dream of and aspire to those goals they are encouraged to attain. Their exposure to various influences can make the world seem expansive and filled with exciting and infinite possibilities, or frustrating and filled with apparent limitations. Since much of a child's early development takes place in school, instructional materials used there will very likely contribute to the positive or negative effect of the school experience. The Legislature recognized the vital role of instructional materials in the formation of a child's attitudes and beliefs when it adopted Education Code Sections 60040 through 60044 (see pages 26-27).

In addition to providing positive experiences and encouraging aspirations unlimited by narrow and stereotyped portrayals, instructional materials should also provide an image of a pluralistic, multicultural society in which any member of any cultural group is looked upon as an individual, not just as a member of a group. In their contacts with others, as well as through the popular media and instructional materials, children are exposed to European Americans in many varied roles, both positive and negative. Because they are therefore more likely to judge European Americans as individuals, any adverse portrayal is generally perceived to be limited to the individual in question. In contrast, social contacts, media, and instructional materials may limit minorities, females, and aged and handicapped persons to stereotyped roles, with the result that they are often judged as groups. The Education Code sections referred to in this document were thus also intended to help dispel the erroneous stereotypes by emphasizing portrayal of members of these groups in diverse, positive, and contributing roles that underscore the multiethnic, multiracial, pluralistic society in which we live. Neither adverse reflections nor inappropriate portrayals may be allowed to occur in instructional materials to be used by pupils in California public schools.

Purpose of Standards

The laws as written require that instructional materials portray accurately the cultural and racial diversity and the male and female roles in our society, and the contributions of minority groups and males and females to the development of United States and California society. These requirements imply that instructional materials must also help students to understand both the historical roles and contributions of women and minorities in other societies, the forces which shaped those roles and contributions, and how and why the contemporary American roles and contributions of women and minorities are different from those at other times and in other cultures.

Because of the very large number of instructional materials submitted for use in California public schools, many evaluators are needed to review these materials for compliance with the various social content requirements specified in the Education Code. Evaluators must of necessity apply their individual

judgments as to whether materials do in fact comply; it would be impossible to supplant such judgment with written specifications. The purpose of this document is rather to provide reasonable, systematic standards upon which evaluators may base their judgments, so that the results of the evaluation process will be as nearly consistent, and therefore as equitable, as possible.

Special Circumstances

1. Categories added by Board policy. Education Code Sections 60040 through 60044 do not include reference to age, disability, brand names, or nutrition. The standards in these areas represent policies of the State Board of Education, and as such must also be considered by reviewers for compliance approval. Policy areas are identified by date of Board approval instead of statutory code sections.
2. Teacher materials. Evaluators must use these standards for reviewing both student material and teacher material. Two considerations are especially important in connection with teacher material: (1) in no case may instructions in a teacher edition designed to counteract noncompliant pictures or text in a pupil edition be given any weight in the evaluation of the pupil edition; and (2) instructions to the teacher for pupil activities that could reasonably be expected to cause adverse reflection or represent roles inaccurately must be considered noncompliant even though they are not seen by the student.
3. Literary, historical, and cultural perspectives. When examining an instructional material for adverse reflection or roles, an evaluator must make a qualitative judgment with respect to classical or contemporary literature (including folk tales), music and art, or stories or articles having a particular historical or cultural perspective. In such cases, it may be inappropriate to require complete compliance with these guidelines.

What might be considered adverse reflection or failure to portray appropriate roles should be judged in the appropriate context. The material should be examined for answers to such questions as these: Does it contain appropriate explanations of the reasons for the offenses? Is there discussion of the issues involved? Is there a description of attitudes prevalent during a certain period of history or now prevalent in the particular culture or country depicted? In such a situation, however, discussion material should be included in the pupil edition indicating that, for example, although a particular attitude toward women or a minority group was prevalent during a certain period in history, or is prevalent in the particular culture or country depicted, that attitude has changed, or is in the process of change, or does not occur in the contemporary United States, as appropriate. The instructional material should be considered noncompliant regarding adverse reflection only if, on the basis of the totality of its presentation, including explanations and discussions included in pupil material, the material would, in the mind of the average student for whom it is intended, reflect adversely upon a person because of race, color, creed, national origin, ancestry, age, sex, occupation, or physical handicap. In the same way, it should be considered noncompliant regarding roles in United States and California society only if no adequate

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discussion occurs concerning cultural and historical roles as distinct from roles as they exist, or as they are becoming, in contemporary society. This is true even considering that social reality today does not always comply with current laws and public values.

4. Reference to humans. Materials need not include references to human beings. For instance, math problems described solely in abstract terms or stories about animals without human attributes are perfectly acceptable in instructional materials but are outside the scope of these standards. Additionally, materials that contain references to children need not include references to adults, even though this omission may limit the scope of the roles and contributions that can be presented.
5. Special purpose--limited portrayals. Several kinds of circumstances make it necessary to modify specified requirements regarding proportion and balance of portrayals. These circumstances do not obviate the need for careful review for adverse reflection or derogatory references, but they do make it difficult to achieve the usual kind of required balance.
 - a. Narrow focus--limited scope and content. In determining how to apply the guidelines to a given piece of material, an evaluator must consider the number of characters presented and the relationships among them. For example, if a material includes only three or four main characters, or if all of the main characters are members of the same family, it will obviously be unrealistic to expect portrayal of a wide diversity of ethnic groups or roles and contributions. In the same way, if the setting is restricted to a limited locale, such as an inner city ghetto or a sparsely settled desert region, the possibilities for showing a wide range of socioeconomic groups in a wide range of activities are necessarily limited. Materials with a narrow focus and/or limited portrayals should be clearly identified as such so that no false impressions are conveyed.

This is not to say that an indefinite number of limited-character and limited-local selections can be used to make up a total adoption. Portrayal of diversity requires portrayal of interactions among various groups, under various conditions. Limited portrayals can accomplish only a small part of the total purpose. Publishers should, whenever possible, include limited-purpose portrayals in series covering a number of such portrayals, thus emphasizing diversity as well.
 - b. Infrequent use. The materials are designed to be used infrequently--example: a test to be administered only two or three times a year.
 - c. Small group. The materials are part of a small group of materials designed for a special purpose--example: an enrichment series of pamphlets with less than eight pamphlets per grade level.
 - d. Audience. The intended audience is other than students--example: parents.

Basic textbooks, workbooks and practice books, and other materials that constitute the core of any basic program, or that are not included in any of the categories listed above, will not qualify as "Special Purpose" materials, but must be reviewed for proportion and balance of portrayals.

6. Series. When conducting a compliance review of a series of instructional materials designed to be used as a basic program, an evaluator must judge each component individually, without regard to the content of any other component. However, it is important to consider certain exceptions detailed in Special Circumstance #5 (above).
7. Purpose and method. The discussion of each social content area begins with a statement of the purpose of the statute or policy defining that area, followed by a description of the method by which the purpose may be accomplished. These statements of method are not intended to be all-inclusive, since there can be many ways to arrive at the same result. They usually represent the most direct and most commonly used methods in that area, but an evaluator should carefully consider any other method employed to determine if it does indeed accomplish the stated purpose and meet the specified standards.
8. Varying levels of compliance requirements. The standards established fall into two classes: those which require strict compliance and those which must comply "to a reasonable degree" or "when appropriate." The difference lies in the nature of the standards; some lend themselves to clear-cut distinctions which are relatively easy to make, while others require more subjective judgments based on interpretations of words like "fair," "reasonable," and "balance." The nature of each standard is clearly identified in the text.

Male and Female Roles

Education Code Sections 60040(a) and 60044(a)

Purpose To promote the individual development and self-esteem of each pupil, regardless of gender.

Method By portraying people of both sexes, or animals having identifiable human attributes, in the full range of their human potential in all societal roles.

Applicability of Standards All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, but subject to Special Circumstance #3 (pages 2-3.)

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree," and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize males or females because of their sex must not appear.*

Examples of questions to be asked: Are members of one sex portrayed as inferior in intelligence, talent, or character to persons of the other sex? Is it implied that members of one sex are incapable of handling problems or situations without help from members of the other sex? There may be individual characters inferior in some ways to other characters who happen to be of the opposite sex, and there may be characters who need help in some situations from someone of the opposite sex, but there must be no implication that their inferiority or their need for assistance is because of their sex.

Remarks and descriptions disparaging to people because of their sex, such as "old maid," "fishwife," "dumb broad," "woman driver," "she's only a girl," "male chauvinist pig," "dumb jock," "hairy ape," or "what do you expect from a man?" constitute adverse reflections, and materials containing such remarks are not in compliance.

2. Equal portrayal. *Instructional material, containing references to, or illustrations of, people must refer to or illustrate both sexes approximately evenly, in both number and importance, except as limited by accuracy or special purpose.*

This standard applies to any materials in which the gender of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Counting portrayals alone is not sufficient

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to judge compliance with this standard; but a quantitative assessment could help to determine "approximately even" numbers of portrayals. In addition, evaluators must make a qualitative judgment concerning the relative importance or impact of those portrayals. For example, an illustration within a story of a female in a highly nontraditional occupation might be considered to have as much impact as a short story containing two male characters. Furthermore, a story on women in sports could not be expected to refer to men, nor could a story on men who have won Olympic medals in running be expected to discuss individual women runners. In dealing with instances like these, however, evaluators should keep in mind Special Circumstance #5 (page 3).

Standards requiring compliance to a reasonable degree

- 3a. Occupations. *If professional or executive occupations, trades, or other gainful occupations are portrayed, men and women should be represented therein approximately equally.*

The purpose of this standard is to expand the portrayal of occupational roles in order to enable children, regardless of sex, to identify with all fields of enterprise. Instructional materials should indicate an equally wide variety of vocational choices for men and women, measured by the number of vocations in which women are depicted compared to the number in which men are depicted.

Many vocations, such as medicine, law, engineering, and banking, are often portrayed as male-dominated. Others, such as nursing, teaching, and secretarial work, often show a preponderance of females. Instructional materials should not give the impression that either females or males are excluded from any particular vocation depicted. Further, if people are shown or discussed as occupying positions at different levels in a business, industry, or profession, neither sex should be represented as predominant at any level.

It could draw ridicule from pupils to portray equal representation of males and females in the coal mines or on a high-rise construction project, because it would constitute a complete departure from the reality they see around them. But it might be very important to include a few portrayals of females, in addition to the males, in such areas so that aspiration would appear possible in spite of current reality.

In some occupations, even today, to represent both sexes would still be a distortion of reality. For one example, in major league professional baseball and football, there are no female players, managers, or coaches, although several women have become active as owners. Evaluators must exercise judgment in recognizing and allowing appropriate exceptions to this standard.

- 3b. Achievements. *Whenever a material presents developments in history or current events, or achievements in art, science, or any other field, the contributions of women as well as men should be included in approximately equal numbers.*

This standard is designed to prevent a continuation of the common practice of failure to give sufficient attention to the achievements of women in all fields of endeavor. Because of the bias in our culture, women have, generally, been less esteemed and less recognized in most fields than men who made comparable contributions. Yet in the development of any field, the contributions of women, as well as men, can generally be included with accuracy.

If biographies are included in the material, certainly biographies of women should be included. Materials which ignore half the population of a society are not acceptable.

- 3c. Mental and physical activities. *Mentally and physically active, creative, problem-solving roles, and success and failure in those roles, if such roles are depicted, should be divided approximately evenly between male and female characters.*

Examples of the roles which this standard concerns are: conducting a science experiment, participating in sports, repairing a broken object, building a bookcase, playing a musical instrument, and the like. In addition, a pattern of positive or negative results of such activities, perhaps most simply defined as success or failure, should not appear to be correlated with either sex.

- 3d. Traditional and nontraditional activities. *The number of traditional activities engaged in by characters of one sex should be approximately even with the number of nontraditional activities presented for characters of that sex.*

In this standard, "traditional" refers to activities which previously were often considered appropriate for persons of only one of the sexes. Examples are women cooking, sewing, or cleaning in the home; men leaving home to work downtown; boys playing baseball; or girls playing house. Instructional materials need not necessarily exclude all such activities, but they should balance them with nontraditional activities. Examples are a boy reading a book, a girl playing soccer, a woman addressing a community meeting, or a man running the vacuum cleaner at home. Whenever domestic chores or recreational activities are portrayed in the materials, members of both sexes should be included.

- 3e. Emotions. *Fear, anger, aggressiveness, excitement, or tenderness, and the like, should occur randomly among characters regardless of gender.*

The idea that only females cry and only males fight is an inaccurate projection of reality and results in a tendency to stereotype persons of one sex or the other with respect to their emotions. Evaluators should look carefully for any such patterns.

- 3f. Sexually neutral language. *"People," "persons," "men and women," "pioneers," "they" should generally be used in order to avoid the apparent exclusion of females or males.*

The standard here is basically objective. This is an appropriate question: Does the material include so many male references as to exclude females as participants in society? Evaluators should exercise discretion in determining when extenuating circumstances exist, such as necessary adherence to grammatical rules or the requirement to convey the author's intended meaning.

Ethnic and Cultural Groups

Education Code Sections 60040(b) and 60044(a)

Purpose To project the cultural diversity of our society, instill in each child a sense of pride in his or her heritage, develop a feeling of self-worth related to equality of opportunity, eradicate the bases of prejudice, and thereby encourage the optimum individual development of each pupil.

Method By including a fair representation of majority and minority group characters portrayed in a wide variety of occupational and behavioral roles, including cultural and artistic.

Applicability of Standards The word "group" as used in these standards refers generally to one of those cultural and social groups named in Section 60040: "American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups." Current federal and state reporting guidelines for affirmative action and other similar programs use a different type of classification. However, since any racial, ethnic, or cultural group can be fitted into those listed in the Education Code, that code section will remain the basis for implementation of these guidelines.

All of the following standards apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standards #1, #2, and #3 apply to all materials that depict any contemporary society outside the United States, subject to Special Circumstances #3 (pages 2-3) concerning certain perspectives regarding literature, music, art, history, or other cultures; and #5 (page 3) concerning certain kinds of limited portrayals.

When references to minority persons are omitted, their absence must be discussed and questioned in the student edition in order to make the student aware of: (1) the historical and cultural situation in which this inequality occurred, (2) the process of philosophical change and its effects on social patterns, and (3) the underlying goal of equality basic to our democratic system.

The standards requiring compliance "to a reasonable degree" are each labeled with the same number, followed by an alphabetical sequence. Their degrees of compliance are determined separately for each. Every standard must be met "to a reasonable degree" and the aggregate of them all must leave an impression of a "reasonable degree" of compliance.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize minority groups must not occur.*

References to any racial or ethnic group indicating that all or most members of that group have certain undesirable characteristics constitute adverse reflections and must not be used. Derogatory generalizations such as "savage Indian," "lazy Mexican," "miserly Jews," and "dumb Polack" fall into this category. There may be individual characters identified as members of a particular race or ethnic group who are depicted as inferior in some way to other characters who are members of other groups, but there must be no implication that their inferiority is attributable to their racial or ethnic origin.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, people must portray accurately the roles and contributions of a fair proportion of diverse ethnic groups, and especially those groups included in the statute (Section 60040(b)) and enumerated on page 9 of this document.*

To the extent possible, materials representing contemporary United States society must depict that society realistically, showing the multiracial, multiethnic composition of the population, except as limited by accuracy or special purpose.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included based on current population for each statutorily-noted minority group. "Tokenism" for any minority group is as unacceptable in instructional materials as it is in the real world of employment.

In materials relating only to a narrow or special aspect of United States or California society, such as a book dealing solely with life in a barrio, or solely with black authors, or solely with Scandinavian immigrants to the middle west, the scope of racial and ethnic representation will be reduced accordingly (see Special Circumstance #5 on page 3).

In evaluating portrayals according to this standard, reference should be made to the standard regarding root culture (see page 12).

3. Customs and life-styles. *When diverse ethnic or cultural groups are portrayed, portrayals must not depict differences in customs or life-styles as undesirable and must not reflect an adverse value judgment of such differences.*

Diversity must be portrayed as an enriching and positive element of our society. In no manner should any other culture be represented as less worthy or less important than the culture of the majority group.

Standards requiring compliance to a reasonable degree

- 4a. Occupations. *Professional or executive roles, trade jobs, or other gainful occupations are portrayed, majority and minority groups should be presented therein in fair proportion.*

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The purpose of this standard is to expand the portrayal of occupational roles of minorities and thus enable children to identify with any field of enterprise, regardless of their race or ethnicity.

"Fair proportion" in this standard is defined as a range of percentages of the total representations included, based upon current population. The number of adult minority characters and majority characters portrayed as professionals or executives, or as working in whatever occupation, should fall within this range. "Tokenism" for any minority group must be avoided.

It is also important to be aware of those occupations that have been associated in a stereotypical way with persons of a certain group--Mexican American farm laborers, Japanese gardeners, Chinese laundry workers, black domestic servants. Although they need not necessarily be excluded entirely, such stereotypes should be referred to very sparingly and should be balanced by references to the same group in other occupations.

- 4b. Socioeconomic settings. *Minority persons should be depicted in the same range of socioeconomic settings as are persons of the majority group.*

This standard directs the evaluator to determine whether, if a range of socioeconomic settings is portrayed, minority group characters participate in the same range of settings as do majority group characters. Socioeconomic characteristics should not be portrayed as correlated to race or ethnicity.

- 4c. Achievements. *Whenever developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of minority peoples, and particularly the identification of prominent minority persons, should be included and discussed, when historically accurate.*

It is important to note that, in the development of most fields, contributions of minority peoples can generally be accurately included. Because of cultural bias, minority persons, no matter what their field, have often been less esteemed and less recognized than majority persons who have made comparable contributions. If biographies are included in the material, biographies of minority persons should be presented.

- 4d. Mental and physical activities. *Mentally active, creative, and problem-solving roles, and success and failure in those roles, should be divided in fair proportion between majority and minority group characters.*

Members of minority groups have often been shown disproportionately in roles requiring primarily physical strength and stamina, as opposed to roles calling for intelligence, skill, or creativity. Instructional materials must display a reasonable balance between majority and minority group characters in each type of role depicted.

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Positive or negative results, success or failure, can flow from the undertaking of any task; it is not suggested that all characters should succeed at all times. A pattern of success or failure, however, should not appear to be correlated with the race, ethnicity, or cultural background of any character.

- 4e. Traditional and nontraditional activities. *The portrayal of minority characters engaged in activities which have traditionally been viewed as typical of their culture should be balanced by portrayal of such characters engaged in other, less traditionally recognized activities.*

Examples of the "traditional" activities referred to are the Chinese New Year festivities, the Mexican "La Posada," or the Japanese tea ceremony. Descriptions of these and other minority cultures, while they might mention these traditionally recognized activities, should not focus their portrayals chiefly on such events. Further, in this country even persons whose life-styles are derived from their root cultures engage in many other activities shared with persons of other cultural groups.

- 4f. Root culture. *Depiction of diverse ethnic and cultural groups should not be limited to their root cultures, but rather must include such groups within the mainstream of United States life and must identify them as Americans.*

Instructional materials have sometimes portrayed, for instance, Mexicans in Mexico and Japanese in Japan as a substitute for presenting the Mexican American and Asian American experiences. Root culture may be discussed in conjunction with the particular minority group's United States or California experience and therefore need not be eliminated. But alone, such discussions do not satisfy the requirements of the law.

This standard is not applicable to materials dealing solely with other countries or cultures, but materials claiming to represent selections from around the world--music, art, literature, for instance--should not be limited to European sources, but should include the root cultures of diverse minority populations in the United States and California.

Older Persons and the Aging Process

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development of a healthy perception of older people and a concept of the aging process as a natural phenomenon.

Method By depicting the involvement, activities, and contributions of older persons as a vital part of society.

Applicability of Standards These standards apply to all materials that reflect contemporary United States or California society or any unidentifiable society. Standard #1 applies as well to materials that reflect any society outside the United States, subject to the limitations expressed in Special Circumstance #3 (pages 2-3).

Standards #3 and #4 require a judgment as to the degree to which the material complies, and Standard #4 can be applied only where the evaluator determines it is appropriate.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders that tend to demean, stereotype, or patronize older persons must not appear.*

References to older persons, indicating, without describing mitigating circumstances, that their talents, intelligence, or activities are inferior to those of younger people, or that they are incapable of handling a situation without a younger person's assistance, constitute adverse reflections. Labels such as "old maid," "old buzzard," "old geezer," "fuddy-duddy," "crone," "rocking chair wonder," or "the geriatrics set" should not be used.

2. Proportion of portrayals. *Instructional materials containing references to, or illustrations of, usual human activities must include older persons, except as limited by accuracy or special purpose.*

This standard applies to any materials in which the age of persons is referred to or illustrated, whether incidental to the purpose of the material or not. Numerically the portrayals of young and old persons are not expected to be even; determining the consideration of numbers and importance or impact of those portrayals is a qualitative judgment.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of older persons in instructional materials should not, except as is necessary to identify them as older persons, be significantly different from the portrayal of people of other age groups.*

The reviewer must evaluate the portrayal of older people to determine if it is reasonably fair and accurate, considering all of the factors involved. The ultimate question is whether, on a total basis, the material would, in the mind of the average pupil for whom it is intended, foster an unhealthy attitude toward older people or the aging process.

Whereas it is true that many persons develop some physical or mental problems as they advance in age, it is also true that many maintain excellent physical and mental health. Although it is not expected that all older persons will be depicted as exceptionally active, productive, or successful, neither should all be depicted as necessarily inferior to, less active than, or dependent upon younger people.

4. Aging process When it is appropriate, the aging process should be pictured as a continuous process spanning the entire lifetime.

Disabled Persons

Approved by the State Board of Education, July 12, 1979

Purpose To promote the development in pupils of a perception of disabled persons that is clear and undistorted, untinged by fear, distrust, loathing, amusement, ridicule, contempt, or pity.

Method By depicting the involvement, activities, and contributions of disabled persons as an integral part of society.

Applicability of Standards These standards apply to all materials that depict contemporary United States or California society or any unidentifiable society. In addition, Standard #1 applies to all materials that depict any society outside the United States, within the limitations of Special Circumstance #3 (pages 2-3).

Evaluators should note that whether a disability is temporary or permanent is of no particular significance. In programs for the disabled, a disability is a disability, regardless of duration.

Standards requiring strict compliance

1. Adverse reflection. *Descriptions, depictions, labels, or rejoinders which tend to demean, stereotype, or patronize disabled persons must not appear.*

This question, and other similar ones, could be asked: Do references to disabled persons indicate that they cannot live full, enjoyable, and productive lives? There should be no labels such as "spaz," "freak," "crip/cripple," or "vegetable." Such references constitute adverse reflections.

Evaluators should also be sensitive to the fact that an occasional story dealing with one or more disabled persons, perhaps even depicting some of the problems of everyday living with certain kinds of disabilities, is not necessarily demeaning or stereotyping. When sensitively done, such stories can be influential in affecting the attitudes of both disabled and nondisabled pupils.

2. Proportion of portrayals. *Instructional materials which depict a broad range of human activities must include some representation of disabled persons, except as limited by special purpose or the need for accuracy.*

Variations in length, subject matter, format, number of characters depicted, and many other factors affect the determination of which materials require portrayal of disabled persons. The evaluators must determine whether, in their judgment, the material covers a sufficiently wide range of activities, and therefore includes such a scope of individuals that one would normally expect to encounter in that milieu at least one visibly disabled person. If so, and the material does not depict any disabled persons, it is not in compliance.

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Ideally, instructional materials should be prepared in such a way that the presence of disabled persons in various occupations, settings, and activities is accepted by the pupils as normal and does not seem unrealistic or contrived. While it is true that handicapped persons can and do compete on an equal basis in many fields, it is also true that numerically, they represent a very small percentage of participants in most common occupations, settings, and activities. To show them in a wide range of activities thus runs the risk of portraying a disproportionate number. It is not the intent of these guidelines to foster such distortions of reality.

Standards requiring compliance to a reasonable degree

3. Roles. *The presentation of disabled persons in instructional materials should not, except as is necessary to identify them as disabled, be significantly different from the portrayal of nondisabled persons.*

When it is possible to do so without sacrificing plausibility or educational value, instructional materials should show disabled people engaging in useful activities, contributing to society in a manner comparable with that of others. Their portrayals should emphasize the things they have in common with other people rather than their differences.

4. Emotions. *Materials should not convey the impression that physically handicapped people are "different" in their emotions or their ability to love and be loved.*
5. Achievements. *When developments in history or current events, or achievements in art, science, or any other field are presented, the contributions of handicapped persons must be included when it is historically accurate to do so.*

Compliance with this standard is often more a matter of identifying already well-known persons as handicapped than it is of adding material about lesser-known figures simply because they were or are handicapped; some examples are Milton, Beethoven, Edison, and the two Roosevelts, Theodore and Franklin.

Entrepreneur and Labor

Education Code Sections 60040(c) and 60044(a)

Purpose To develop in pupils an unbiased view of the functions of each of these two groups in American society.

Method By presenting, when appropriate, a balanced picture of the roles of capital, as represented by entrepreneurs and managers, and labor, as represented by workers and their organizations, in the American economic system.

Applicability of Standards The first standard below requires strict compliance, whereas Standard #2 demands compliance only where appropriate. They apply to all instructional materials that depict contemporary United States or California society or any unidentifiable society. In addition, it is important for an evaluator to be thoroughly familiar with Special Circumstance #3 (pages 2-3) before making decisions in the area of either of these standards.

Standard requiring strict compliance

1. Adverse reflection. *References or labels which tend to demean, stereotype, or patronize any persons engaged in any particular occupation or vocation, whether essentially entrepreneurial, management, or labor, must not appear.*

Standard requiring compliance where appropriate

2. Roles. *Reference should be made to the role and contribution of the entrepreneur and labor in the total development of California and the United States, and any such reference should be accurate.*

If the nature of the material is such that reference should be made to the role and contribution of labor, then reference should generally also be made to the role and contribution of entrepreneur and/or manager, and vice versa. Since accuracy is important in this standard, evaluators who are in doubt as to the accuracy of a statement or reference should refer the question to the Department of Education, CFIM Unit, which will seek opinions from authoritative sources to resolve the issue.

Religion

Education Code Section 60044 (a) and (b)

Purpose To enable all pupils to become aware of and accepting of religious diversity while at the same time being allowed to remain secure in any religious beliefs they may already have.

Method By depicting, when appropriate, the diversity of religious beliefs held in United States and California society, as well as other societies, without displaying bias for or against any of those beliefs or against religious beliefs in general.

Applicability of Standards Since these standards derive to a degree from the United States and the California constitutions, and are closely related to the requirements concerning the portrayal of cultural diversity, they all require strict compliance.

These standards should not be construed to mean that the mere depiction of religion constitutes indoctrination. Religious music and art, for instance, may be included in instructional materials when appropriate.

Standards requiring strict compliance

1. Adverse reflection. *No religious belief or practice may be held up to ridicule, nor any religious group portrayed as inferior.*
2. Indoctrination. *Any explanation or description of a religious belief or practice should be presented in a manner which neither encourages nor discourages belief, nor indoctrinates the student in any particular religious belief.*
3. Diversity. *Portrayals of contemporary United States society should, where religion is discussed or depicted, reflect its religious diversity.*

Except where a piece of material deals with a particular racial, ethnic, or cultural group, or a particular historical era in the United States or California, materials in, but not limited to, art, music, and social sciences must, to a reasonable extent, reflect the religious diversity of contemporary United States society. (Education Code Section 60040(b) operates here in conjunction with cultural diversity requirements.)

Ecology and Environment

Education Code Section 60041(a)

Purpose To develop in all pupils a sense of responsibility for the protection and improvement, insofar as possible and feasible, of the natural environment of this planet.

Method By emphasizing, whenever appropriate, issues that relate to ecology and the environment and what ordinary citizens can do to contribute to the resolution of those issues.

Applicability of Standards This requirement is applicable only "where appropriate." A piece of material could avoid any discussion or portrayal of the kind required by these standards and still comply under this section. It may be silent on these issues provided such silence does not positively imply that no problems exist in ecology or the environment.

Standards requiring compliance where appropriate

1. Ecology. *The interdependence of people and their environment should be represented.*
2. Environmental protection. *Responsibilities of human beings for creation and protection of a healthy environment should be given direct attention.*

The appropriate means for protecting and improving the environment should be presented, along with the possible adverse effects of some solutions to environmental problems. In no case should the material encourage or condone pollution.

3. Resource use. *Wise use of natural resources should be encouraged. In no case should the material depict (except as necessary to illustrate a point), nor encourage, nor condone waste of resources.*

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Dangerous Substances

Education Code Section 60041(b)

Purpose To provide to all pupils knowledge and awareness of what constitutes the various uses and misuses of dangerous substances.

Method By presenting factual data and realistic values relating to the use and misuse of dangerous substances.

Applicability of Standards These standards both require compliance, although application of Standard #2 depends upon the evaluator's interpretation of what constitutes an "incidental manner." Special Circumstance #3 (pages 2-3) should also be considered in connection with these standards. The same principles can be applied here, even though the content area is different.

Standards requiring strict compliance

1. Discouragement of use. *The use of tobacco, alcohol, narcotics, or restricted dangerous drugs, except as prescribed by a physician, must not be glamorized or encouraged by illustrations or text.*
2. Hazards of use. *Where references to, or illustrations of, the use of substances are included in other than an incidental manner, such as a passing reference to a character taking cough medicine, or a classic short story referring to "father's" pipe, the hazards of such use should be depicted or pointed out.*

The intention here is not that every time the use of alcohol or tobacco is shown or mentioned, a discussion of the hazards of such use must ensue. Rather, the intention is that the evaluator exercise judgment in determining when the nature of the depiction is such that the pupil should be reminded of the hazards involved in the action shown.

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Thrift, Fire Prevention, and Humane Treatment of Animals and People

Education Code Section 60042

Purpose To instill in all pupils certain basic values, particularly thrift and humane treatment, with fire prevention especially highlighted as a separate aspect of each of these values.

Method By demonstrating the connection between these values and both everyday and extraordinary occurrences in human living and history.

Applicability of Standards The negative mandates listed first below require compliance in all cases; the positive mandates apply whenever appropriate. Special Circumstance #3 (pages 2-3) should also be considered in this connection, since the same principles can be applied. For example, vast differences have existed among different cultures and different historical periods with regard to acceptable standards of humane behavior.

Standards requiring strict compliance

1. Waste. *Wasteful or wildly extravagant behavior must not be encouraged nor glamorized.*
2. Fire hazards. *Practices and situations which constitute fire hazards must not be depicted, except for clarifying a point, nor condoned, nor encouraged.*
3. Inhumane treatment. *Physical abuse, violence, or other inhumane or depraved treatment of animals or people must not be depicted, except for purposes of clarifying a point, nor condoned, nor encouraged.*

Standards requiring compliance where appropriate

4. Thrift. *The practice of thrift should be encouraged through illustrations and/or text.*
5. Fire prevention. *Methods of prevention, and fire safety rules in general, should be explained and their use encouraged through illustrations and/or text.*
6. Humane treatment. *Such treatment should be encouraged through illustrations and text, but historical instances of inhumane treatment of people (such as slavery or the Holocaust) should not be omitted or glossed over but should be depicted when appropriate.*

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Declaration of Independence and Constitution of the United States

Education Code Section 60043

This standard needs to be met only when it is appropriate to the comprehension of pupils at the level for which the material is designed. In addition, it applies only to instructional materials for social science, history, or civics classes.

1. *The Declaration of Independence should be presented.*
2. *The Constitution of the United States should be included.*

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Brand Names and Corporate Logos

Approved by the State Board of Education, December 8, 1977

Purpose To prevent unfair exposure for any privately produced product.

Method By omission, whenever possible and feasible, of illustrations of or references to such private producers or their products.

Applicability of Standards The two standards in this area require strict compliance. However, they also require judgment concerning the "educational purpose" of the material or the segment of the material involved, since "educational purpose" determines how the standards are to be applied.

These standards apply to all instructional materials that depict contemporary United States society. In representations of foreign societies, they apply only to brand names, products, and logos familiar to the average American who has not traveled abroad.

Even though Standards #1 and #2 do require strict compliance, they also require a determination regarding educational purpose. Standards #3a through #3e are examples of standards that should be applied when educational purpose requires the inclusion of certain brand names or corporate logos.

Standards requiring strict compliance

1. Use of any such depictions. Instructional materials shall not contain illustrations of any identifiable commercial brand names, products, or corporate or company logos unless such illustrations are necessary to the educational purpose of the instructional material, and that purpose cannot be achieved without using such illustrations, or unless such illustrations are incidental to a scene of a general nature (example: Times Square, New York City).
2. Prominent use of any one depiction. These exceptions aside, if a brand name, representation, or company logo is illustrated, prominence shall not be given to any one brand or company unless, in turn, such illustration is necessary to the educational purpose of the instructional material and that purpose cannot be achieved without using such illustration (example: Coca Cola sign in India, demonstrating social influence of American corporations abroad).

Illustrative standards applicable when determined necessary for educational purpose

- 3a. Soft drinks. If soft drinks must be mentioned, "cola" drinks should be referred to generically, and other kinds of drinks referred to as "soda," "soda pop," "orange soda," or the like. Specific brand names should not be used.

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- 3b. Restaurants. If names of "fast food" restaurants are felt to be necessary, the names of several of the well-known ones of that kind should be included at some point in the text.
- 3c. Recreational places. Names of places may be mentioned when they are part of contemporary childhood culture, even though they are profit-making enterprises, such as Disneyland or Marine World.
- 3d. Corporation names. Inclusion of names of manufacturing or service corporations should not be found necessary except in very narrow context, when Standard #2 will apply.
- 3e. Automobiles. Automobile names may be used if a fair sampling of different names appear, preferably including American, European, and Japanese.

Foods

Approved by the State Board of Education, December 8, 1977

Purpose To accustom pupils to seeing and dealing with representations of nutritious foods.

Method By emphasizing, when appropriate, foods of high nutritive value.

Applicability of Standards The standards for this area both require compliance to a reasonable degree. They do not constitute an absolute prohibition against portrayal of foods of low nutritive value, but rather deal with the application of emphasis.

Standards requiring compliance to a reasonable degree

1. **High nutritive value.** *When instructional materials contain illustrations of foods, foods of high nutritive value shall be emphasized.*
 - a. Enriched or whole grain cereals, breads, and other grain products.
 - b. Meats, poultry, and fish (lean, not fried), nuts (including nut butters), eggs, and dried legumes (beans and peas).
 - c. Fruits and vegetables, including juices, and edible seeds.
 - d. Dairy products.
2. **Low nutritive value.** *When instructional materials contain illustrations of foods, foods of low nutritive value and with undesirable content should be deemphasized.*
 - a. Foods with too much sugar and very few other nutrients (such as cake, candy, carbonated drinks, gum, jam).
 - b. Foods high in salt or other sodium compound (such as chips, luncheon meats, pickles, pretzels).
 - c. Foods with especially high fat content (such as fried foods, salad dressing, butter).

APPENDIX

Social Content Requirements of the Education Code

Portrayal of Cultural and Racial Diversity

60040. When adopting instructional materials for use in the schools, governing boards shall include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society, including:

(a) The contributions of both men and women in all types of roles, including professional, vocational, and executive roles.

(b) The role and contributions of American Indians, American Negroes, Mexican Americans, Asian Americans, European Americans, and members of other ethnic and cultural groups to the total development of California and the United States.

(c) The role and contributions of the entrepreneur and labor in the total development of California and the United States.

Ecological System; Use of Tobacco, Alcohol, Drugs, and Other Dangerous Substances

60041. When adopting instructional materials for use in schools, governing boards shall include only instructional materials which accurately portray, whenever appropriate:

(a) Man's and woman's place in ecological systems and the necessity for the protection of our environment.

(b) The effects on the human system of the use of tobacco, alcohol, narcotics, and restricted dangerous drugs as defined in Section 11032 of the Health and Safety Code, and other dangerous substances.

Thrift, Fire Prevention, and Humane Treatment of Animals and People

60042. When adopting instructional materials for use in the schools, governing boards shall require such materials as they deem necessary and proper to encourage thrift, fire prevention, and the humane treatment of animals and people.

Declaration of Independence and Constitution of the United States

60043. When adopting instructional materials for use in the schools, governing boards shall require, when appropriate to the comprehension of pupils, that textbooks for social science, history, or civics classes contain the Declaration of Independence and the Constitution of the United States.

Prohibited Instructional Materials

60044. No instructional materials shall be adopted by any governing board for use in the schools which, in its determination, contains:

- (a) Any matter reflecting adversely upon persons because of their race, color, creed, national origin, ancestry, sex, or occupation.
- (b) Any sectarian or denominational doctrine or propaganda contrary to law.

CALIFORNIA STATE BOARD OF EDUCATION

721 CAPITOL MALL

SACRAMENTO, CA 95814



**Standards and Procedures Under Education Code
Section 60200(c) Petition Process**

60200(c). In the event that a district board establishes to the satisfaction of the state board that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall authorize that district board to use its instructional materials' credits to purchase, through the Department of Education, materials as specified by the state board, in accordance with standards and procedures established by the state board.

The State Board of Education has established a petition process to allow school districts to request credit for up to 100 percent of their entitlements for instructional materials to be used for a basic instructional material program that is not state adopted. This process provides for flexibility at the local level. A petition may be used when a district plans to use a basic instructional material program that is not on the state-adopted list. The petition process may not be used to request basic instructional material programs that have been submitted for adoption during the time period in which these materials are being considered or for the early delivery of materials that have been adopted by the State Board. The following standards and procedures are to be met by petitioning school districts:

1. Compliance with Social Content Requirements

For purposes of determining compliance with Education Code sections 60040 through 60044, a Legal Compliance Committee panel shall review any instructional materials for which a school district submits a request for approval to purchase prior to submission of the request to the State Board of Education. Also, any prior advisory opinion issued pursuant to Section V.D.6 of the State Board's "Process for Adopting Instructional Materials in California" shall, if the requested material is the same (including any offered and accepted revisions), be deemed to be the Legal Compliance Committee panel determination for purposes of this section.

Materials must be in compliance in order for petitions to be approved. Basic instructional material programs should be reviewed for legal compliance before a petition is initiated by the school district. Publishers may have materials that may be requested under the petition process reviewed. An instructional materials display center will be designated as the review site for all materials for which a petition is submitted.

2. Review of Basic Instructional Materials for Educational Content

For purposes of determining how the basic instructional material program under consideration will promote student learning more effectively and efficiently than the basic instructional materials on the state list, the requesting district will provide pertinent information about its students and curriculum. Procedures for review are as follows:

- a. The school district will notify the State Department of Education that a petition will be made to use up to 100 percent of its entitlement to purchase a basic instructional material program that is not state adopted. That notification will include the amount of credit being requested and the basic instructional material program under consideration. Upon receipt of the notification, the Department will provide the requesting school district with an application form.
- b. The district will be instructed on the application form to provide the following information:

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- (1) A description of the student population
- (2) An outline of goals and objectives in the appropriate subject area
- (3) A comparative analysis of the basic instructional material program being considered and the basic instructional material programs on the state list, based on the criteria and citing specific references and providing illustrative examples
- (4) A description of the local selection process, including the provisions for public involvement

3. Public Display of Basic Instructional Materials Under Consideration for Purchase

For the purpose of determining that the public has been informed of and involved in the local selection process, the district will hold a 30-day display. The procedure for the display is as follows:

The school district is to establish a process allowing for public participation in the selection of instructional materials and to describe the method utilized. The district must provide the results of the display and the record of all public comments made pertaining to the display. The only requirement as to how the display is to be conducted is that the materials are to be accessible to the public for a 30-day period.

The Department will recommend approval or denial of the school district petition to the Board. The district will have an opportunity to address the Board if the petition is denied.

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ATTACHMENT 6

The following are Education Code Sections relating to the framework and adoption program:

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The people of the State of California do enact as follows:

SECTION 1. Section 60200 of the Education Code is amended to read:

60200. The state board shall adopt instructional materials for use in kindergarten and grades 1 through 8 for governing boards, subject to Section 60263 and to the following provisions:

(a) At least biennially, adoptions shall be made for all applicable levels for the following categories: (1) language arts, (2) mathematics, (3) reading, (4) science, (5) social science, (6) bilingual or bicultural subjects, and (7) any other subject, discipline, or interdisciplinary areas for which the state board may determine the need and desirability for instructional materials to promote the maximum efficiency of pupil learning.

(b) While categories may be designated to be adopted in alternate years, the state board shall adopt not less than five but no more than 15 of any of the following for basic instructional materials in each subject in each grade: (a) instructional materials, (b) instructional materials systems, (c) instructional materials sets, and, (d) a combination of instructional materials, instructional materials systems, and instructional materials sets, as the state board may select. However, less than five items per subject, per grade may be adopted when the state board establishes that adequate materials are not available for certain grades and subjects. The state board shall not adopt more than two instructional materials sets for each subject in each grade.

Nothing in this subdivision shall limit the authority of the state board to adopt materials which are not basic instructional materials, and the adoption of those materials shall not be governed by the maximum and minimum limits specified by this subdivision.

(c) In the event that a district board establishes to the satisfaction of the state board that the state-adopted instructional materials do not promote the maximum efficiency of pupil learning in the district, the state board shall authorize that district board to use its instructional materials' allowances to purchase materials as specified by the state board, in accordance with standards and procedures established by the state board.

(d) The state board shall establish procedures to provide the most open and flexible submissions, as to timing and processing, to provide collections of instructional materials which, when taken as a whole, illustrate diverse points of view; represent cultural pluralism and provide a broad spectrum of knowledge, information, and a cross section of opinions; and allow for a combination of approaches and media to best meet the goals of a program and the needs of pupils.

(e) Upon making an adoption, the state board shall make available to listed publishers and manufacturers and all school interests a listing of instructional materials, including the most current unit cost of such materials as computed pursuant to subdivision (b) of Section 60222 and Section 60223. Items placed upon lists shall remain thereon, and be available for procurement through the state's systems of financing, for a period of not less than four years following the date of initial use as established pursuant to subdivision (i). All previous adoptions shall be integrated on lists and made available by subject and level.

(f) The state board may approve multiple lists of instructional materials, without designating a grade or subject, and the state board may designate more than one grade or subject whenever the state board designates that a single subject designation or a single grade designation would not promote the maximum efficiency of pupil learning. Any materials so designated may be placed on single grade or single subject lists, or multigrade or interdisciplinary lists, or may be placed on separate lists including other materials with similar grade or subject designations; however, all materials so designated shall be adopted subject to the limitations of subdivision (b).

(g) A composite listing in the format of an order form may be used to meet the requirements of this section.

(h) The lists maintained pursuant to this section shall not be deemed to control the use period by any local district.

(i) The state board shall, at the time of initiating the call for bids for instructional materials, establish the date upon which such state-adopted materials shall initially be available for use by the pupils.

Commissions' Duties

60204. The commission shall:

(a) Recommend curriculum frameworks to the state board.

(b) Develop criteria for evaluating instructional materials submitted for adoption so that the materials adopted shall adequately cover the subjects in the indicated grade or grades and which comply with the provisions of Article 3 (commencing with Section 60040) of Chapter 1 of this part. Such criteria shall be public information and shall be provided in written or printed form to any person requesting such information.

(c) Study and evaluate instructional materials submitted for adoption.

(d) Recommend to the state board instructional materials which it approves for adoption.

(Amended by Stats. 1977, Ch. 36.)

Assistance and Advice

60205. The commission may, in order to fulfill its duties pursuant to Section 60204, appoint task forces or committees of subject matter experts to assist and advise them. Each task force or committee appointed by the commission shall include classroom teachers as defined in Section 33150 and representatives of the various ethnic groups and of the various types of school districts. Accurate records of the advice and recommendations of each task force or committee member shall be maintained by the commission, and made available to the state board at its request.

(Enacted by Stats. 1976, Ch. 1010.)

SEC. 1.5. Section 60206 is added to the Education Code, to read:
60206. The state board may adopt appropriate regulations to implement this chapter. These regulations may include a procedure to review district invoices for instructional materials purchases made pursuant to subdivision (b) of Section 60242.

SEC. 2. Section 60241 of the Education Code is amended to read:
60241. The fund shall be administered by the Department of Education under policies established by the state board. The state board shall encumber part of the fund to:

(a) Pay for the cost of royalties, warehousing, and shipping for

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those textbooks in the state textbook warehouse as of July 1, 1973, and adopted by the state board prior to March 7, 1973.

(b) Pay for the costs of instructional materials to be loaned to nonpublic school pupils pursuant to Section 60315.

(c) Pay for the costs of braille and large print textbooks to be furnished for visually handicapped pupils pursuant to Sections 60312 and 60313.

(d) Pay for the costs of warehousing and transporting textbooks acquired for the purposes of Sections 60281 and 60310. Such costs shall not exceed 10 percent of the cost of each textbook printed by the Department of General Services.

(e) Establish, commencing with the 1974-75 fiscal year, a reserve account, of not to exceed two hundred thousand dollars (\$200,000) to pay for the cost of:

(1) Acquisition of instructional materials, including those ordered for purchase by persons and entities pursuant to subdivisions (a) and (b) of Section 60310.

(2) Replacement of instructional materials obtained by a school district with its credit or allowance, which are lost or destroyed by reason of fire, theft, natural disaster, or vandalism.

SEC. 3. Section 60242 of the Education Code is amended to read: 60242. After the application of Section 60241, the state board shall encumber the balance of the fund for the purpose of:

(a) Establishing credits and cash allotments as follows:

(1) The state board shall establish a credit for each district board with which instructional materials adopted by the state board may be ordered by districts which choose to order materials through the state.

(2) The state board shall establish a cash allotment in an amount determined by the state board for use in purchasing instructional materials from any source, or for the purchase of tests or in-service training pursuant to Sections 60224 and 60225.

The state board shall specify the percentage of a district board's credit authorized to be used for each of the above purposes.

(b) Establishing an allowance for each district board, which the district board may use for the following purposes:

(1) To purchase instructional materials adopted by the state board.

(2) To purchase instructional materials from any source.

(3) To purchase tests or in-service training pursuant to Sections 60224 and 60225.

The state board shall specify the percentage of a district board's allowance authorized to be used for each of the above purposes.

Allowances established for school districts pursuant to this section shall be apportioned to districts as part of the special purpose apportionment in accordance with paragraph (5) of subdivision (a) of Section 14041.

The Superintendent of Public Instruction may establish a date

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each fiscal year by which districts shall notify the State Department of Education of their decision to operate under this subdivision.

(c) Obtaining instructional materials in subsequent fiscal years.

SEC. 4. Section 60242.1 is added to the Education Code, to read: 60242.1. In establishing the credits and allowances authorized by Section 60242, the state board may take into consideration estimated increases or decreases in average daily attendance for the year in which the instructional materials will be used.

SEC. 5. Section 60242.5 is added to the Education Code, to read: 60242.5. Allowances received by districts pursuant to subdivision (b) of Section 60242 shall be deposited into a separate account as specified by the Superintendent of Public Instruction. These allowances, including any interest generated by them, shall be used only for the purchase of instructional materials, tests, or in-service training pursuant to subdivision (b) of Section 60242. Interest posted to the account shall be based upon reasonable estimates of monthly balances in the account and the average rate of interest earned by other funds of the district.

All purchases of instructional materials made with funds from this account shall conform to law and the applicable rules and regulations adopted by the state board, and the district superintendent shall provide written assurance of such conformance to the Superintendent of Public Instruction. Commencing September 1, 1984, the Superintendent of Public Instruction may withhold the allowance established pursuant to Section 60242 for any district which has failed to file a written assurance for the prior fiscal year. The Superintendent of Public Instruction may restore the amount withheld once the district provides the written assurance.

The Department of Finance, in cooperation with the State Department of Education, shall include procedures to review compliance with this section in its independent audit instructions.

SEC. 6. Section 60243 of the Education Code is amended to read: 60243. District boards ordering instructional materials from lists adopted by the state board pursuant to subdivision (a) of Section 60242 shall have deducted from their credit a unit cost based on the information provided by publishers or manufacturers pursuant to subdivision (b) of Section 60222.

SEC. 7. Section 60263 of the Education Code is amended to read: 60263. District boards may order state-adopted textbooks and instructional materials on forms prescribed by the State Department of Education. The forms shall include, or be accompanied by, information concerning the grade or grades and subject or subjects for which each instructional material is intended, and the unit cost of the material, as computed pursuant to Section 60243, which will be deducted from the credit of the district when ordered.

SEC. 8. Section 60264 of the Education Code is amended to read: 60264. (a) All district orders made pursuant to subdivision (a) of Section 60242 for state-adopted instructional materials shall be

forwarded as directed by the Superintendent of Public Instruction for procurement of such materials in the most economical and timely manner pursuant to Article 5 (commencing with Section 60280) of this chapter. However, in cases where the district does not qualify as a city school district and is an elementary district with fewer than 901 average daily attendance or a unified district with fewer than 1,501 average daily attendance, the county superintendent of schools shall approve the orders for instructional materials by the districts before forwarding as directed by the Superintendent of Public Instruction.

(b) All district orders for instructional materials not adopted by the state shall be placed directly with the publisher or manufacturer at any of its offices in the State of California or at any publishers' or manufacturers' depository in the State of California, except that all district orders for instructional materials other than textbooks, and other than instructional materials systems and instructional materials sets which include textbooks, may be placed directly with the publisher or manufacturer. The provisions of this paragraph with respect to the purchase of textbooks are subject to the numerical limitations of subdivision (f) of Section 60061.

SEC. 9. Section 60280 of the Education Code is amended to read:
60280. The state board shall cause to be acquired and distributed any instructional materials ordered by district boards pursuant to subdivision (a) of Section 60242.

SEC. 10. Section 60285 of the Education Code is amended to read:
60285. The state board, in order to procure textbooks, shall tabulate all orders for each textbook title received from school districts and nonpublic school pupils pursuant to subdivision (a) of Section 60243. The Department of General Services shall select from the tabulation those titles which can be manufactured by that department at a unit cost lower than that specified in the price schedule submitted by the publisher or manufacturer pursuant to subdivision (b) of Section 60222 and which that department can complete manufacture of in time to permit delivery to the school districts and nonpublic school pupils prior to the opening of school in the year in which the textbooks are to be used.

SEC. 11. Section 60286 of the Education Code is amended to read:
60286. All textbooks not printed pursuant to Section 60285 and all other instructional materials may be obtained by the state board pursuant to Section 60281.

SEC. 12. Section 60294 of the Education Code is amended to read:
60294. The Superintendent of Public Instruction shall arrange for the warehousing and shipping of all instructional materials for handicapped minors acquired pursuant to Section 60281 in the most economical and timely manner.

SEC. 13. Section 60296 is added to the Education Code, to read:
60296. The state board, in cooperation with the Department of General Services, shall develop a procedure for the expeditious disposition of instructional materials warehoused, or proposed to be

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manufactured, by the Department of General Services prior to July 1, 1983.

As part of this procedure, the state board shall charge against the cash allotment established for a district pursuant to subdivision (b) of Section 60242, as in effect on or before June 30, 1983, the cost of materials previously ordered by that district which have been, or are proposed to be, manufactured by the Department of General Services prior to July 1, 1983.

The provisions of this section shall not apply to instructional materials acquired by the State Board of Education for purposes of Sections 60251 and 60310.

SEC. 14. Section 60310 of the Education Code is amended to read: 60310. The following individuals or organizations may order instructional materials from lists adopted by the state board:

(a) The head of any state institution offering instruction in the elementary grades, or giving instruction in the teaching of elementary subjects.

(b) Governing boards or nonpublic schools.

(c) Individuals for use only in California.

The materials shall be purchased at the unit cost determined pursuant to subdivision (b) of Section 60222.

SEC. 15. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 14 of this act shall become operative July 1, 1983.

SEC. 16. The Legislative Analyst in cooperation with the Department of Education shall review the instructional materials review process of the Department of Education and report on the increase in funding needed by the Department of Education and the Curriculum Development and Instructional Materials Commission to support effective quality and legal compliance review processes. Any needed increase shall not exceed the administrative savings created by the implementation of this act. The report shall be made to the appropriate legislative budget subcommittees during the 1983-84 budget review process.

SEC. 17. Before January 1, 1986, the Department of Education shall submit an evaluation of this act to the Legislature. The evaluation shall include an analysis of the amount of interest income posted to the accounts of local districts pursuant to Section 60242.5, any evidence of violations of the provisions of Section 60242.5, and any other relevant information.

SEC. 18. It is not the intent of the Legislature in enacting the provisions of this act to cause the layoff of any permanent state civil service employees employed on a full-time basis.

SEC. 19. No appropriation is made and no reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution or Section 2231 or 2234 of the Revenue and Taxation Code because the Legislature finds and declares that there are savings as well as costs in this act which, in the aggregate, do not result in additional net costs.

AMENDED IN ASSEMBLY FEBRUARY 8, 1983

CALIFORNIA LEGISLATURE—1983-84 REGULAR SESSION

Assembly Concurrent Resolution

No. 13

Introduced by Assemblywoman Bergeson

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December 27, 1982

Assembly Concurrent Resolution No. 13—Relative to school textbook standards.

LEGISLATIVE COUNSEL'S DIGEST

ACR 13, as amended, Bergeson. School textbook standards.

This measure would request the State Board of Education *and the Superintendent of Public Instruction* to review and develop uniform textbook standards to assist school districts in the selection of textbooks which are appropriate for the grade levels taught. This measure would request that the State Board of Education *and the Superintendent of Public Instruction* submit a report to the Legislature on or before July 1, 1984, regarding the development of textbook standards for the state public school system.

Fiscal committee: yes.

WHEREAS, There is a need to provide for the review of textbooks utilized in the state public school system; and

WHEREAS, The development of state textbook standards by the State Board of Education *and the Superintendent of Public Instruction* will assist school districts in the selection of textbooks which are appropriate for the grade levels taught; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the State Board of Education *and the Superintendent of Public Instruction* shall review and develop uniform textbook standards in 1983 to be made available to local school districts; and be it further

Resolved, That the State Board of Education *and the Superintendent of Public Instruction* shall submit a report to the Legislature on or before July 1, 1984, regarding the development of textbook standards for the state public school system; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the State Board of Education *and the Superintendent of Public Instruction.*



STATE STEERING COMMITTEE FOR
CURRICULUM DEVELOPMENT AND
PUBLICATIONS

CALIFORNIA CURRICULUM NEWS REPORT

The California Curriculum Development and Supplemental Materials Commission is continuing the development of a curriculum base for California students on a six-year cycle. The 16-member Commission is an advisory group to the California State Board of Education in the areas of state-adopted curriculum frameworks and state-adopted instructional materials. Thirteen members are appointed by the State Board and one each by the Governor, the speaker of the Assembly, and the Senate.

Currently the Commission is involved in managing the evaluation of the major K-8 adoption for this year—reading and literature, and above-average English. In March, the Board approved a five to fifteen matrix for these basic content areas. Instructional materials evaluation panels will complete their evaluations by the end of June. Commission recommendations for the state adoption will be completed at the July 29-30 meeting. State Board of Education action is expected at the September 2 meeting. School districts will then order new materials during 1982-83 for use beginning the fall of 1983.

Criteria for textbook selection come from the state-adopted curriculum frameworks. During the past year the Commission approved the *Visual and Performing Arts Framework, K-12*. This innovative framework unites for the first time commonalities in arts education—dance, drama/theater, music, and visual arts. Distribution is expected for late May. The Commission also approved the new *History/Social Science Framework, K-12*, which was distributed last fall. The 1982-83 social science adoption for grades K-8 will reflect the focus and orientation of this new framework. Other new frameworks in progress are in the areas of science and physical education.

Other recent activities have included the following: state policies for the adoption process; increased funding for the state instructional materials fund; the Governor's budget on mathematics, science, and technology; relationships to the California Assessment Program; and current efforts to upgrade university and college entrance requirements. Educational specifications for the upcoming 1982-83 social sciences adoption were also approved.

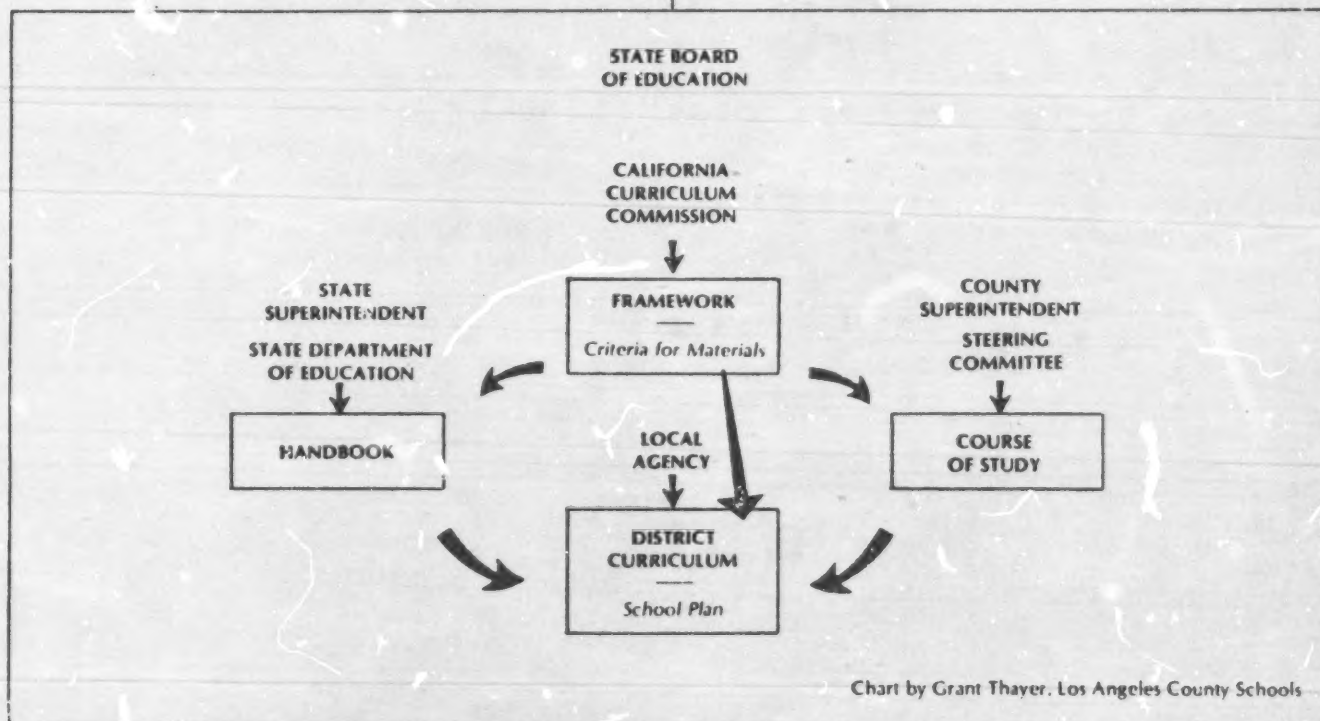


Chart by Grant Thayer, Los Angeles County Schools

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